

26 | in specified locations; amending s. 790.015, F.S.;

27 | authorizing a nonresident to carry a concealed weapon

28 | or concealed firearm in this state if he or she meets

29 | the same requirements as a resident; removing a

30 | requirement that limits recognition of concealed

31 | firearm licenses to those states that honor Florida

32 | concealed weapon or concealed firearm licenses;

33 | amending s. 790.052, F.S.; conforming provisions to

34 | changes made by the act; amending s. 790.053, F.S.;

35 | specifying that it is not a violation of specified

36 | provisions for persons authorized to carry a concealed

37 | weapon or concealed firearm without a license to

38 | briefly and openly display a firearm under specified

39 | circumstances; amending s. 790.06, F.S.; defining the

40 | term "concealed weapon or concealed firearm"; removing

41 | a requirement that a person who is licensed to carry a

42 | concealed weapon or concealed firearm must carry such

43 | license while he or she is in actual possession of a

44 | concealed weapon or concealed firearm; revising

45 | legislative findings; making technical changes;

46 | amending s. 790.0655, F.S.; making technical changes;

47 | amending s. 790.115, F.S.; providing that a person who

48 | is authorized to carry a concealed weapon or concealed

49 | firearm without a license is subject to specified

50 | penalties for possessing such weapon or firearm at a

51 school-sponsored event or on school property;
52 conforming provisions to changes made by the act;
53 revising applicability; repealing s. 790.145, F.S.,
54 relating to the possession of firearms or destructive
55 devices within the premises of pharmacies; amending s.
56 790.25, F.S.; providing that a person who is
57 authorized to carry a concealed weapon or concealed
58 firearm may carry such weapon or firearm on his or her
59 person in a private conveyance under certain
60 circumstances; conforming provisions to changes made
61 by the act; making technical changes; amending s.
62 790.251, F.S.; revising the definition of the term
63 "employee" to include any person who is authorized to
64 carry a concealed weapon or concealed firearm;
65 prohibiting an employer from conditioning employment
66 upon the fact that an employee or a prospective
67 employee is authorized to carry a concealed weapon or
68 concealed firearm; amending s. 790.31, F.S.; removing
69 the definition of the term "handgun"; creating s.
70 943.6873, F.S.; requiring each law enforcement agency
71 in this state to create and maintain an active
72 assailant response policy by a specified date;
73 providing requirements for the policy; amending s.
74 1001.212, F.S.; requiring the Office of Safe Schools
75 to develop a behavioral threat management operational

76 process by a specified date; providing requirements
 77 for the process; revising provisions requiring the
 78 office to develop a Florida-specific behavioral threat
 79 assessment instrument by a specified date; revising
 80 requirements for the instrument; requiring the office
 81 to develop, host, maintain, and administer a threat
 82 management portal by a specified date; providing
 83 requirements for the threat management portal;
 84 providing a noncriminal penalty for an individual
 85 using the threat management portal for an unauthorized
 86 purpose; deleting provisions providing for the
 87 Statewide Threat Assessment Database Workgroup;
 88 authorizing the State Board of Education to adopt
 89 emergency rules; amending s. 1002.42, F.S.;

90 authorizing a private school to partner with a law
 91 enforcement agency or security agency for specified
 92 purposes; requiring a private school that establishes
 93 a safe-school officer to comply with specified
 94 provisions of law; providing that the private school
 95 is responsible for certain implementation costs;
 96 amending s. 1003.25, F.S.; revising information
 97 included in verified reports of serious or recurrent
 98 behavior patterns; amending s. 1006.07, F.S.;

99 redesignating threat assessment teams as threat
 100 management teams; requiring a charter school governing

101 board to establish a threat management team; providing
 102 requirements for a threat management team; requiring
 103 the threat management team to prepare a specified
 104 report; authorizing the state board to adopt emergency
 105 rules; providing legislative findings; creating s.
 106 1006.121, F.S.; requiring the Department of Education
 107 to establish the Florida Safe Schools Canine Program;
 108 requiring the Office of Safe Schools to consult with
 109 specified entities; defining the term "firearm
 110 detection canine"; providing requirements for the
 111 program; requiring the State Board of Education to
 112 adopt rules; amending s. 1006.13, F.S.; conforming
 113 provisions to changes made by the act; providing
 114 reporting requirements for certain school safety
 115 incidents; amending ss. 790.1612, 810.095, 921.0022,
 116 921.0024, 943.051, 943.0585, 943.059, 985.11, and
 117 1002.33 F.S.; conforming provisions to changes made by
 118 the act; providing appropriations; providing effective
 119 dates.

120

121 Be It Enacted by the Legislature of the State of Florida:

122

123 Section 1. Subsections (1) and (4) of section 27.53,
 124 Florida Statutes, are amended to read:

125 27.53 Appointment of assistants and other staff; method of

126 payment.—

127 (1) The public defender of each judicial circuit is
128 authorized to employ and establish, in such numbers as
129 authorized by the General Appropriations Act, assistant public
130 defenders and other staff and personnel pursuant to s. 29.006,
131 who shall be paid from funds appropriated for that purpose.
132 Notwithstanding ss. 790.01 and 790.02, ~~the provisions of s.~~
133 ~~790.01, s. 790.02, or s. 790.25(2)(a)~~, an investigator employed
134 by a public defender, while actually carrying out official
135 duties, is authorized to carry a concealed weapon ~~weapons or~~
136 concealed firearm if the investigator complies with s.
137 790.25(2)(o) ~~s. 790.25(3)(e)~~. However, such investigators are
138 not eligible for membership in the Special Risk Class of the
139 Florida Retirement System. The public defenders of all judicial
140 circuits shall jointly develop a coordinated classification and
141 pay plan which shall be submitted on or before January 1 of each
142 year to the Justice Administrative Commission, the office of the
143 President of the Senate, and the office of the Speaker of the
144 House of Representatives. Such plan shall be developed in
145 accordance with policies and procedures of the Executive Office
146 of the Governor established in s. 216.181. Each assistant public
147 defender appointed by a public defender under this section shall
148 serve at the pleasure of the public defender. Each investigator
149 employed by a public defender shall have full authority to serve
150 any witness subpoena or court order issued, by any court or

151 judge within the judicial circuit served by such public
 152 defender, in a criminal case in which such public defender has
 153 been appointed to represent the accused.

154 (4) The five criminal conflict and civil regional counsels
 155 may employ and establish, in the numbers authorized by the
 156 General Appropriations Act, assistant regional counsels and
 157 other staff and personnel in each judicial district pursuant to
 158 s. 29.006, who shall be paid from funds appropriated for that
 159 purpose. Notwithstanding ss. 790.01 and 790.02, ~~s. 790.01, s.~~
 160 ~~790.02, or s. 790.25(2)(a)~~, an investigator employed by an
 161 office of criminal conflict and civil regional counsel, while
 162 actually carrying out official duties, is authorized to carry a
 163 concealed weapon ~~weapons~~ or concealed firearm if the
 164 investigator complies with s. 790.25(2)(o) ~~s. 790.25(3)(o)~~.
 165 However, such investigators are not eligible for membership in
 166 the Special Risk Class of the Florida Retirement System. The
 167 five regional counsels shall jointly develop a coordinated
 168 classification and pay plan for submission to the Justice
 169 Administrative Commission, the President of the Senate, and the
 170 Speaker of the House of Representatives by January 1 of each
 171 year. The plan must be developed in accordance with policies and
 172 procedures of the Executive Office of the Governor established
 173 in s. 216.181. Each assistant regional counsel appointed by the
 174 regional counsel under this section shall serve at the pleasure
 175 of the regional counsel. Each investigator employed by the

176 regional counsel shall have full authority to serve any witness
 177 subpoena or court order issued by any court or judge in a
 178 criminal case in which the regional counsel has been appointed
 179 to represent the accused.

180 Section 2. Paragraph (k) of subsection (1) of section
 181 30.15, Florida Statutes, is amended to read:

182 30.15 Powers, duties, and obligations.—

183 (1) Sheriffs, in their respective counties, in person or
 184 by deputy, shall:

185 (k) Assist district school boards and charter school
 186 governing boards in complying with, or private schools in
 187 exercising options in, s. 1006.12. A sheriff must, at a minimum,
 188 provide access to a Coach Aaron Feis Guardian Program to aid in
 189 the prevention or abatement of active assailant incidents on
 190 school premises, as required under this paragraph. Persons
 191 certified as school guardians pursuant to this paragraph have no
 192 authority to act in any law enforcement capacity except to the
 193 extent necessary to prevent or abate an active assailant
 194 incident.

195 1.a. If a local school board has voted by a majority to
 196 implement a guardian program, the sheriff in that county shall
 197 establish a guardian program to provide training, pursuant to
 198 subparagraph 2., to school district, ~~or~~ charter school, or
 199 private school employees, either directly or through a contract
 200 with another sheriff's office that has established a guardian

201 program.

202 b. A charter school governing board in a school district
 203 that has not voted, or has declined, to implement a guardian
 204 program may request the sheriff in the county to establish a
 205 guardian program for the purpose of training the charter school
 206 employees. If the county sheriff denies the request, the charter
 207 school governing board may contract with a sheriff that has
 208 established a guardian program to provide such training. The
 209 charter school governing board must notify the superintendent
 210 and the sheriff in the charter school's county of the contract
 211 prior to its execution.

212 c. A private school in a school district that has not
 213 voted, or has declined, to implement a guardian program may
 214 request the sheriff in the county to establish a guardian
 215 program for the purpose of training the private school
 216 employees. If the county sheriff denies the request, the private
 217 school may contract with a sheriff from another county who has
 218 established a guardian program to provide such training. The
 219 private school must notify the sheriff in the private school's
 220 county of the contract with a sheriff from another county before
 221 its execution. The private school is responsible for all
 222 training costs for a school guardian program. The sheriff
 223 providing such training must ensure that any monies paid by a
 224 private school are not commingled with any funds provided by the
 225 state to the sheriff as reimbursement for screening-related and

226 training-related costs of any school district or charter school
 227 employee.

228 d. The training program required in sub-subparagraph 2.b.
 229 is a standardized statewide curriculum, and each sheriff
 230 providing such training shall adhere to the course of
 231 instruction specified in that sub-subparagraph. This
 232 subparagraph does not prohibit a sheriff from providing
 233 additional training. A school guardian who has completed the
 234 training program required in sub-subparagraph 2.b. may not be
 235 required to attend another sheriff's training program pursuant
 236 to that sub-subparagraph unless there has been at least a 1-year
 237 break in his or her employment as a guardian.

238 e. The sheriff conducting the training pursuant to
 239 subparagraph 2. will be reimbursed for screening-related and
 240 training-related costs and for providing a one-time stipend of
 241 \$500 to each school guardian who participates in the school
 242 guardian program.

243 2. A sheriff who establishes a program shall consult with
 244 the Department of Law Enforcement on programmatic guiding
 245 principles, practices, and resources, and shall certify as
 246 school guardians, without the power of arrest, school employees,
 247 as specified in s. 1006.12(3), who:

248 a. Hold a valid license issued under s. 790.06.

249 b. Complete a 144-hour training program, consisting of 12
 250 hours of certified nationally recognized diversity training and

251 132 total hours of comprehensive firearm safety and proficiency
 252 training conducted by Criminal Justice Standards and Training
 253 Commission-certified instructors, which must include:

254 (I) Eighty hours of firearms instruction based on the
 255 Criminal Justice Standards and Training Commission's Law
 256 Enforcement Academy training model, which must include at least
 257 10 percent but no more than 20 percent more rounds fired than
 258 associated with academy training. Program participants must
 259 achieve an 85 percent pass rate on the firearms training.

260 (II) Sixteen hours of instruction in precision pistol.

261 (III) Eight hours of discretionary shooting instruction
 262 using state-of-the-art simulator exercises.

263 (IV) Sixteen ~~Eight~~ hours of instruction in active shooter
 264 or assailant scenarios.

265 (V) Eight hours of instruction in defensive tactics.

266 (VI) Four ~~Twelve~~ hours of instruction in legal issues.

267 c. Pass a psychological evaluation administered by a
 268 psychologist licensed under chapter 490 and designated by the
 269 Department of Law Enforcement and submit the results of the
 270 evaluation to the sheriff's office. The Department of Law
 271 Enforcement is authorized to provide the sheriff's office with
 272 mental health and substance abuse data for compliance with this
 273 paragraph.

274 d. Submit to and pass an initial drug test and subsequent
 275 random drug tests in accordance with the requirements of s.

276 | 112.0455 and the sheriff's office.

277 | e. Successfully complete ongoing training, weapon
278 | inspection, and firearm qualification on at least an annual
279 | basis.

280 |
281 | The sheriff who conducts the guardian training shall issue a
282 | school guardian certificate to individuals who meet the
283 | requirements of this section to the satisfaction of the sheriff,
284 | and shall maintain documentation of weapon and equipment
285 | inspections, as well as the training, certification, inspection,
286 | and qualification records of each school guardian certified by
287 | the sheriff. An individual who is certified under this paragraph
288 | may serve as a school guardian under s. 1006.12(3) only if he or
289 | she is appointed by the applicable school district
290 | superintendent, ~~or~~ charter school principal, or private school
291 | head of school.

292 | Section 3. Paragraph (b) of subsection (9) of section
293 | 768.28, Florida Statutes, is amended to read:

294 | 768.28 Waiver of sovereign immunity in tort actions;
295 | recovery limits; civil liability for damages caused during a
296 | riot; limitation on attorney fees; statute of limitations;
297 | exclusions; indemnification; risk management programs.—

298 | (9)

299 | (b) As used in this subsection, the term:

300 | 1. "Employee" includes any volunteer firefighter.

301 2. "Officer, employee, or agent" includes, but is not
 302 limited to, any health care provider when providing services
 303 pursuant to s. 766.1115; any nonprofit independent college or
 304 university located and chartered in this state which owns or
 305 operates an accredited medical school, and its employees or
 306 agents, when providing patient services pursuant to paragraph
 307 (10) (f); any public defender or her or his employee or agent,
 308 including an assistant public defender or an investigator; and
 309 any member of a Child Protection Team, as defined in s. 39.01,
 310 or any member of a threat management team, as described in s.
 311 1006.07 (7) s. 39.01(13), when carrying out her or his duties as
 312 a team member under the control, direction, and supervision of
 313 the state or any of its agencies or subdivisions.

314 Section 4. Section 790.001, Florida Statutes, is amended
 315 to read:

316 790.001 Definitions.—As used in this chapter, except where
 317 the context otherwise requires:

318 (2)~~(1)~~ "Antique firearm" means any firearm manufactured in
 319 or before 1918 (including any matchlock, flintlock, percussion
 320 cap, or similar early type of ignition system) or replica
 321 thereof, whether actually manufactured before or after the year
 322 1918, and also any firearm using fixed ammunition manufactured
 323 in or before 1918, for which ammunition is no longer
 324 manufactured in the United States and is not readily available
 325 in the ordinary channels of commercial trade.

326 (3)~~(2)~~ "Concealed firearm" means any firearm, as defined
 327 in subsection (9) ~~(6)~~, which is carried on or about a person in
 328 such a manner as to conceal the firearm from the ordinary sight
 329 of another person.

330 (4)~~(3)~~(a) "Concealed weapon" means any dirk, metallic
 331 knuckles, billie, tear gas gun, chemical weapon or device, or
 332 other deadly weapon carried on or about a person in such a
 333 manner as to conceal the weapon from the ordinary sight of
 334 another person.

335 (b) "Tear gas gun" or "chemical weapon or device" means
 336 any weapon of such nature, except a device known as a "self-
 337 defense chemical spray." "Self-defense chemical spray" means a
 338 device carried solely for purposes of lawful self-defense that
 339 is compact in size, designed to be carried on or about the
 340 person, and contains not more than two ounces of chemical.

341 (6)~~(4)~~ "Destructive device" means any bomb, grenade, mine,
 342 rocket, missile, pipebomb, or similar device containing an
 343 explosive, incendiary, or poison gas and includes any frangible
 344 container filled with an explosive, incendiary, explosive gas,
 345 or expanding gas, which is designed or so constructed as to
 346 explode by such filler and is capable of causing bodily harm or
 347 property damage; any combination of parts either designed or
 348 intended for use in converting any device into a destructive
 349 device and from which a destructive device may be readily
 350 assembled; any device declared a destructive device by the

351 Bureau of Alcohol, Tobacco, and Firearms; any type of weapon
 352 which will, is designed to, or may readily be converted to expel
 353 a projectile by the action of any explosive and which has a
 354 barrel with a bore of one-half inch or more in diameter; and
 355 ammunition for such destructive devices, but not including
 356 shotgun shells or any other ammunition designed for use in a
 357 firearm other than a destructive device. "Destructive device"
 358 does not include:

359 (a) A device which is not designed, redesigned, used, or
 360 intended for use as a weapon;

361 (b) Any device, although originally designed as a weapon,
 362 which is redesigned so that it may be used solely as a
 363 signaling, line-throwing, safety, or similar device;

364 (c) Any shotgun other than a short-barreled shotgun; or

365 (d) Any nonautomatic rifle (other than a short-barreled
 366 rifle) generally recognized or particularly suitable for use for
 367 the hunting of big game.

368 (8)~~(5)~~ "Explosive" means any chemical compound or mixture
 369 that has the property of yielding readily to combustion or
 370 oxidation upon application of heat, flame, or shock, including
 371 but not limited to dynamite, nitroglycerin, trinitrotoluene, or
 372 ammonium nitrate when combined with other ingredients to form an
 373 explosive mixture, blasting caps, and detonators; but not
 374 including:

375 (a) Shotgun shells, cartridges, or ammunition for

376 firearms;

377 (b) Fireworks as defined in s. 791.01;

378 (c) Smokeless propellant powder or small arms ammunition
 379 primers, if possessed, purchased, sold, transported, or used in
 380 compliance with s. 552.241;

381 (d) Black powder in quantities not to exceed that
 382 authorized by chapter 552, or by any rules adopted thereunder by
 383 the Department of Financial Services, when used for, or intended
 384 to be used for, the manufacture of target and sporting
 385 ammunition or for use in muzzle-loading flint or percussion
 386 weapons.

387

388 The exclusions contained in paragraphs (a)-(d) do not apply to
 389 the term "explosive" as used in the definition of "firearm" in
 390 subsection (9) ~~(6)~~.

391 (9)~~(6)~~ "Firearm" means any weapon (including a starter
 392 gun) which will, is designed to, or may readily be converted to
 393 expel a projectile by the action of an explosive; the frame or
 394 receiver of any such weapon; any firearm muffler or firearm
 395 silencer; any destructive device; or any machine gun. The term
 396 "firearm" does not include an antique firearm unless the antique
 397 firearm is used in the commission of a crime.

398 (11)~~(7)~~ "Indictment" means an indictment or an information
 399 in any court under which a crime punishable by imprisonment for
 400 a term exceeding 1 year may be prosecuted.

401 (12)~~(8)~~ "Law enforcement officer" means:

402 (a) All officers or employees of the United States or the
 403 State of Florida, or any agency, commission, department, board,
 404 division, municipality, or subdivision thereof, who have
 405 authority to make arrests;

406 (b) Officers or employees of the United States or the
 407 State of Florida, or any agency, commission, department, board,
 408 division, municipality, or subdivision thereof, duly authorized
 409 to carry a concealed weapon;

410 (c) Members of the Armed Forces of the United States, the
 411 organized reserves, state militia, or Florida National Guard,
 412 when on duty, when preparing themselves for, or going to or
 413 from, military duty, or under orders;

414 (d) An employee of the state prisons or correctional
 415 systems who has been so designated by the Department of
 416 Corrections or by a warden of an institution;

417 (e) All peace officers;

418 (f) All state attorneys and United States attorneys and
 419 their respective assistants and investigators.

420 (13)~~(9)~~ "Machine gun" means any firearm, ~~as defined~~
 421 ~~herein~~, which shoots, or is designed to shoot, automatically
 422 more than one shot, without manually reloading, by a single
 423 function of the trigger.

424 (10) "Handgun" means a firearm capable of being carried
 425 and used by one hand, such as a pistol or revolver.

426 (17)~~(10)~~ "Short-barreled shotgun" means a shotgun having
427 one or more barrels less than 18 inches in length and any weapon
428 made from a shotgun (whether by alteration, modification, or
429 otherwise) if such weapon as modified has an overall length of
430 less than 26 inches.

431 (16)~~(11)~~ "Short-barreled rifle" means a rifle having one
432 or more barrels less than 16 inches in length and any weapon
433 made from a rifle (whether by alteration, modification, or
434 otherwise) if such weapon as modified has an overall length of
435 less than 26 inches.

436 (18)~~(12)~~ "Slungshot" means a small mass of metal, stone,
437 sand, or similar material fixed on a flexible handle, strap, or
438 the like, used as a weapon.

439 (20)~~(13)~~ "Weapon" means any dirk, knife, metallic
440 knuckles, slungshot, billie, tear gas gun, chemical weapon or
441 device, or other deadly weapon except a firearm or a common
442 pocketknife, plastic knife, or blunt-bladed table knife.

443 (7)~~(14)~~ "Electric weapon or device" means any device
444 which, through the application or use of electrical current, is
445 designed, redesigned, used, or intended to be used for offensive
446 or defensive purposes, the destruction of life, or the
447 infliction of injury.

448 (5)~~(15)~~ "Dart-firing stun gun" means any device having one
449 or more darts that are capable of delivering an electrical
450 current.

451 (14)~~(16)~~ "Readily accessible for immediate use" means that
 452 a firearm or other weapon is carried on the person or within
 453 such close proximity and in such a manner that it can be
 454 retrieved and used as easily and quickly as if carried on the
 455 person.

456 (15)~~(17)~~ "Securely encased" means in a glove compartment,
 457 whether or not locked; snapped in a holster; in a gun case,
 458 whether or not locked; in a zippered gun case; or in a closed
 459 box or container which requires a lid or cover to be opened for
 460 access.

461 (19)~~(18)~~ "Sterile area" means the area of an airport to
 462 which access is controlled by the inspection of persons and
 463 property in accordance with federally approved airport security
 464 programs.

465 (1)~~(19)~~ "Ammunition" means an object consisting of all of
 466 the following:

- 467 (a) A fixed metallic or nonmetallic hull or casing
- 468 containing a primer.
- 469 (b) One or more projectiles, one or more bullets, or shot.
- 470 (c) Gunpowder.

471
 472 All of the specified components must be present for an object to
 473 be ammunition.

474 Section 5. Section 790.01, Florida Statutes, is amended to
 475 read:

476 790.01 ~~Unlicensed~~ Carrying of concealed weapons or
 477 concealed firearms.—

478 (1) A person is authorized to carry a concealed weapon or
 479 concealed firearm, as that term is defined in s. 790.06(1), if
 480 he or she:

481 (a) Is licensed under s. 790.06; or

482 (b) Is not licensed under s. 790.06, but otherwise
 483 satisfies the criteria for receiving and maintaining such a
 484 license under s. 790.06(2)(a)-(f) and (i)-(n), (3), and (10).

485 (2)-(1) Except as provided in subsection (4) (3), a person
 486 who does not meet the criteria in subsection (1) is not licensed
 487 under s. 790.06 and who carries a concealed weapon or electric
 488 weapon or device, as those terms are defined in s. 790.001, on
 489 or about his or her person commits a misdemeanor of the first
 490 degree, punishable as provided in s. 775.082 or s. 775.083.

491 (3)-(2) Except as provided in subsection (4) (3), a person
 492 who does not meet the criteria in subsection (1) is not licensed
 493 under s. 790.06 and who carries a concealed firearm, as that
 494 term is defined in s. 790.001, on or about his or her person
 495 commits a felony of the third degree, punishable as provided in
 496 s. 775.082, s. 775.083, or s. 775.084.

497 (4)-(3) A person does not violate this section if he or she
 498 This section does not apply to:

499 (a) Is lawfully in possession of A person who carries a
 500 concealed weapon or a concealed firearm, as those terms are

501 defined in s. 790.001, or a person who may lawfully possess a
 502 firearm and who carries such a concealed weapon or concealed
 503 firearm, on or about his or her person while in the act of
 504 evacuating during a mandatory evacuation order issued during a
 505 state of emergency declared by the Governor pursuant to chapter
 506 252 or declared by a local authority pursuant to chapter 870. As
 507 used in this subsection, the term "in the act of evacuating"
 508 means the immediate and urgent movement of a person away from
 509 the evacuation zone within 48 hours after a mandatory evacuation
 510 is ordered. The 48 hours may be extended by an order issued by
 511 the Governor.

512 (b) ~~A person who~~ Carries for purposes of lawful self-
 513 defense, in a concealed manner:

514 1. A self-defense chemical spray.

515 2. A nonlethal stun gun or dart-firing stun gun or other
 516 nonlethal electric weapon or device that is designed solely for
 517 defensive purposes.

518 ~~(5)(4)~~ This section does not preclude any prosecution for
 519 the use of an electric weapon or device, a dart-firing stun gun,
 520 or a self-defense chemical spray during the commission of any
 521 criminal offense under s. 790.07, s. 790.10, s. 790.23, or s.
 522 790.235, or for any other criminal offense.

523 Section 6. Section 790.013, Florida Statutes, is created
 524 to read:

525 790.013 Carrying of concealed weapons or concealed

526 firearms without a license.—A person who carries a concealed
 527 weapon or concealed firearm without a license as authorized
 528 under s. 790.01(1)(b):

529 (1)(a) Must carry valid identification at all times when
 530 he or she is in actual possession of a concealed weapon or
 531 concealed firearm and must display such identification upon
 532 demand by a law enforcement officer.

533 (b) A violation of this subsection is a noncriminal
 534 violation punishable by a \$25 fine, payable to the clerk of the
 535 court.

536 (2) Is subject to s. 790.06(12) in the same manner as a
 537 person who is licensed to carry a concealed weapon or concealed
 538 firearm.

539 Section 7. Section 790.015, Florida Statutes, is amended
 540 to read:

541 790.015 Nonresidents ~~who are United States citizens and~~
 542 ~~hold a concealed weapons license in another state; reciprocity.—~~

543 (1) ~~Notwithstanding s. 790.01,~~ A nonresident of Florida
 544 may carry a concealed weapon or concealed firearm, as that term
 545 is defined in s. 790.06(1), while in this state if the
 546 nonresident is a resident of the United States who is 21 years
 547 of age or older and he or she:

548 (a) Satisfies the criteria for receiving and maintaining a
 549 license to carry a concealed weapon or concealed firearm under
 550 s. 790.06(2)(a)-(f) and (i)-(n), (3), and (10); or

551 ~~(a) Is 21 years of age or older.~~

552 (b) Has in his or her immediate possession a valid license

553 to carry a concealed weapon or concealed firearm issued to the

554 nonresident in his or her state of residence.

555 ~~(c) Is a resident of the United States.~~

556 (2) A nonresident is subject to the same laws and

557 restrictions with respect to carrying a concealed weapon or

558 concealed firearm as a resident of Florida ~~who is so licensed.~~

559 (3) If the resident of another state who is the holder of

560 a valid license to carry a concealed weapon or concealed firearm

561 issued in another state establishes legal residence in this

562 state by:

563 (a) Registering to vote;

564 (b) Making a statement of domicile pursuant to s. 222.17;

565 or

566 (c) Filing for homestead tax exemption on property in this

567 state,

568

569 the license shall be recognized as valid ~~remain in effect~~ for 90

570 days following the date on which the holder of the license

571 establishes legal state residence.

572 ~~(4) This section applies only to nonresident concealed~~

573 ~~weapon or concealed firearm licenseholders from states that~~

574 ~~honor Florida concealed weapon or concealed firearm licenses.~~

575 (4)-(5) The requirement in subsection (1) that a

576 nonresident be 21 years of age or older to carry a concealed
 577 weapon or concealed firearm ~~of paragraph (1)(a)~~ does not apply
 578 to a person who:

- 579 (a) Is a servicemember, as defined in s. 250.01; or
- 580 (b) Is a veteran of the United States Armed Forces who was
 581 discharged under honorable conditions.

582 Section 8. Paragraph (d) of subsection (1) of section
 583 790.052, Florida Statutes, is amended to read:

584 790.052 Carrying concealed firearms; off-duty law
 585 enforcement officers.—

586 (1)

587 (d) This section does not limit the right of a law
 588 enforcement officer, correctional officer, or correctional
 589 probation officer to carry a concealed firearm off duty as a
 590 private citizen under the exemption provided in s. 790.06 that
 591 allows a law enforcement officer, correctional officer, or
 592 correctional probation officer as defined in s. 943.10(1), (2),
 593 (3), (6), (7), (8), or (9) to carry a concealed firearm without
 594 a concealed weapon or concealed firearm license or as otherwise
 595 provided by law. The appointing or employing agency or
 596 department of an officer carrying a concealed firearm as a
 597 private citizen is ~~under s. 790.06~~ shall not be liable for the
 598 use of the firearm in such capacity. This section does not limit
 599 ~~Nothing herein limits~~ the authority of the appointing or
 600 employing agency or department from establishing policies

601 limiting law enforcement officers or correctional officers from
 602 carrying concealed firearms during off-duty hours in their
 603 capacity as appointees or employees of the agency or department.

604 Section 9. Subsection (1) of section 790.053, Florida
 605 Statutes, is amended to read:

606 790.053 Open carrying of weapons.—

607 (1) Except as otherwise provided by law and in subsection
 608 (2), it is unlawful for any person to openly carry on or about
 609 his or her person any firearm or electric weapon or device. It
 610 is not a violation of this section for a person who carries
 611 ~~licensed to carry~~ a concealed firearm as authorized provided in
 612 s. 790.01(1) s. 790.06(1), and ~~who is lawfully carrying a~~
 613 ~~firearm in a concealed manner~~, to briefly and openly display the
 614 firearm to the ordinary sight of another person, unless the
 615 firearm is intentionally displayed in an angry or threatening
 616 manner, not in necessary self-defense.

617 Section 10. Subsection (1), paragraphs (g) and (h) of
 618 subsection (2), paragraph (e) of subsection (4), paragraph (b)
 619 of subsection (5), paragraph (f) of subsection (6), and
 620 subsections (9), (10), (12), (13), and (16) of section 790.06,
 621 Florida Statutes, are amended to read:

622 790.06 License to carry concealed weapon or concealed
 623 firearm.—

624 (1)(a) For the purposes of this section, the term
 625 "concealed weapon or concealed firearm" means a handgun,

626 electric weapon or device, tear gas gun, knife, or billie, but
 627 does not include a machine gun as that term is defined in s.
 628 790.001.

629 (b) The Department of Agriculture and Consumer Services is
 630 authorized to issue licenses to carry concealed weapons or
 631 concealed firearms to persons qualified as provided in this
 632 section. Each ~~such~~ license must bear a color photograph of the
 633 licensee. ~~For the purposes of this section, concealed weapons or~~
 634 ~~concealed firearms are defined as a handgun, electronic weapon~~
 635 ~~or device, tear gas gun, knife, or billie, but the term does not~~
 636 ~~include a machine gun as defined in s. 790.001(9).~~

637 (c) ~~Such Licenses are~~ shall be valid throughout the state
 638 for ~~a period of 7 years~~ after ~~from~~ the date of issuance. A
 639 licensee must carry ~~Any person in compliance with the terms of~~
 640 ~~such license may carry a concealed weapon or concealed firearm~~
 641 ~~notwithstanding the provisions of s. 790.01. The licensee must~~
 642 ~~carry the license, together with valid identification,~~ at all
 643 times in which the licensee is in actual possession of a
 644 concealed weapon or concealed firearm and must display such ~~both~~
 645 ~~the license and proper~~ identification upon demand by a law
 646 enforcement officer. Violations of the provisions of this
 647 subsection shall constitute a noncriminal violation with a
 648 penalty of \$25, payable to the clerk of the court.

649 (2) The Department of Agriculture and Consumer Services
 650 shall issue a license if the applicant:

651 (g) Desires a legal means to carry a concealed weapon or
 652 concealed firearm for lawful self-defense;

653 (h) Demonstrates competence with a firearm by any one of
 654 the following:

655 1. Completion of any hunter education or hunter safety
 656 course approved by the Fish and Wildlife Conservation Commission
 657 or a similar agency of another state;

658 2. Completion of any National Rifle Association firearms
 659 safety or training course;

660 3. Completion of any firearms safety or training course or
 661 class available to the general public offered by a law
 662 enforcement agency, junior college, college, or private or
 663 public institution or organization or firearms training school,
 664 using instructors certified by the National Rifle Association,
 665 Criminal Justice Standards and Training Commission, or the
 666 Department of Agriculture and Consumer Services;

667 4. Completion of any law enforcement firearms safety or
 668 training course or class offered for security guards,
 669 investigators, special deputies, or any division or subdivision
 670 of a law enforcement agency or security enforcement;

671 5. Presents evidence of equivalent experience with a
 672 firearm through participation in organized shooting competition
 673 or military service;

674 6. Is licensed or has been licensed to carry a concealed
 675 weapon or concealed firearm in this state or a county or

676 municipality of this state, unless such license has been revoked
 677 for cause; or

678 7. Completion of any firearms training or safety course or
 679 class conducted by a state-certified or National Rifle
 680 Association certified firearms instructor;

681
 682 A photocopy of a certificate of completion of any of the courses
 683 or classes; an affidavit from the instructor, school, club,
 684 organization, or group that conducted or taught such course or
 685 class attesting to the completion of the course or class by the
 686 applicant; or a copy of any document that shows completion of
 687 the course or class or evidences participation in firearms
 688 competition shall constitute evidence of qualification under
 689 this paragraph. A person who conducts a course pursuant to
 690 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as
 691 an instructor, attests to the completion of such courses, must
 692 maintain records certifying that he or she observed the student
 693 safely handle and discharge the firearm in his or her physical
 694 presence and that the discharge of the firearm included live
 695 fire using a firearm and ammunition as defined in s. 790.001;

696 (4) The application shall be completed, under oath, on a
 697 form adopted by the Department of Agriculture and Consumer
 698 Services and shall include:

699 (e) A statement that the applicant desires a concealed
 700 weapon or concealed firearms license as a means of lawful self-

701 defense; and

702 (5) The applicant shall submit to the Department of
 703 Agriculture and Consumer Services or an approved tax collector
 704 pursuant to s. 790.0625:

705 (b) A nonrefundable license fee of up to \$55 if he or she
 706 has not previously been issued a statewide license or of up to
 707 \$45 for renewal of a statewide license. The cost of processing
 708 fingerprints as required in paragraph (c) shall be borne by the

709 applicant. However, an individual holding an active
 710 certification from the Criminal Justice Standards and Training
 711 Commission as a law enforcement officer, correctional officer,
 712 or correctional probation officer as defined in s. 943.10(1),

713 (2), (3), (6), (7), (8), or (9) is exempt from the licensing
 714 requirements of this section. If such individual wishes to
 715 receive a concealed weapon or concealed firearm license, he or
 716 she is exempt from the background investigation and all

717 background investigation fees but must pay the current license
 718 fees regularly required to be paid by nonexempt applicants.

719 Further, a law enforcement officer, a correctional officer, or a
 720 correctional probation officer as defined in s. 943.10(1), (2),
 721 or (3) is exempt from the required fees and background
 722 investigation for 1 year after his or her retirement.

723 (6)

724 (f) The Department of Agriculture and Consumer Services
 725 shall, upon receipt of a completed application and the

726 identifying information required under paragraph (5)(f),
727 expedite the processing of a servicemember's or a veteran's
728 concealed weapon or concealed firearm license application.

729 (9) In the event that a concealed weapon or concealed
730 firearm license is lost or destroyed, the license shall be
731 automatically invalid, and the person to whom the same was
732 issued may, upon payment of \$15 to the Department of Agriculture
733 and Consumer Services, obtain a duplicate, or substitute
734 thereof, upon furnishing a notarized statement to the Department
735 of Agriculture and Consumer Services that such license has been
736 lost or destroyed.

737 (10) A license issued under this section shall be
738 suspended or revoked pursuant to chapter 120 if the licensee:

739 (a) Is found to be ineligible under the criteria set forth
740 in subsection (2);

741 (b) Develops or sustains a physical infirmity which
742 prevents the safe handling of a weapon or firearm;

743 (c) Is convicted of a felony which would make the licensee
744 ineligible to possess a firearm pursuant to s. 790.23;

745 (d) Is found guilty of a crime under ~~the provisions of~~
746 chapter 893, or similar laws of any other state, relating to
747 controlled substances;

748 (e) Is committed as a substance abuser under chapter 397,
749 or is deemed a habitual offender under s. 856.011(3), or similar
750 laws of any other state;

751 (f) Is convicted of a second violation of s. 316.193, or a
 752 similar law of another state, within 3 years after a first
 753 conviction of such section or similar law of another state, even
 754 though the first violation may have occurred before the date on
 755 which the application was submitted;

756 (g) Is adjudicated an incapacitated person under s.
 757 744.331, or similar laws of any other state; or

758 (h) Is committed to a mental institution under chapter
 759 394, or similar laws of any other state.

760

761 Notwithstanding s. 120.60(5), service of a notice of the
 762 suspension or revocation of a concealed weapon or concealed
 763 firearm license must be given by either certified mail, return
 764 receipt requested, to the licensee at his or her last known
 765 mailing address furnished to the Department of Agriculture and
 766 Consumer Services, or by personal service. If a notice given by
 767 certified mail is returned as undeliverable, a second attempt
 768 must be made to provide notice to the licensee at that address,
 769 by either first-class mail in an envelope, postage prepaid,
 770 addressed to the licensee at his or her last known mailing
 771 address furnished to the department, or, if the licensee has
 772 provided an e-mail address to the department, by e-mail. Such
 773 mailing by the department constitutes notice, and any failure by
 774 the licensee to receive such notice does not stay the effective
 775 date or term of the suspension or revocation. A request for

776 hearing must be filed with the department within 21 days after
 777 notice is received by personal delivery, or within 26 days after
 778 the date the department deposits the notice in the United States
 779 mail (21 days plus 5 days for mailing). The department shall
 780 document its attempts to provide notice, and such documentation
 781 is admissible in the courts of this state and constitutes
 782 sufficient proof that notice was given.

783 (12) (a) A license issued under this section does not
 784 authorize any person to openly carry a handgun or carry a
 785 concealed weapon or concealed firearm into:

- 786 1. Any place of nuisance as defined in s. 823.05;
- 787 2. Any police, sheriff, or highway patrol station;
- 788 3. Any detention facility, prison, or jail;
- 789 4. Any courthouse;
- 790 5. Any courtroom, except that nothing in this section
- 791 precludes ~~would preclude~~ a judge from carrying a concealed
- 792 weapon or concealed firearm or determining who will carry a
- 793 concealed weapon or concealed firearm in his or her courtroom;
- 794 6. Any polling place;
- 795 7. Any meeting of the governing body of a county, public
- 796 school district, municipality, or special district;
- 797 8. Any meeting of the Legislature or a committee thereof;
- 798 9. Any school, college, or professional athletic event not
- 799 related to firearms;
- 800 10. Any elementary or secondary school facility or

801 administration building;

802 11. Any career center;

803 12. Any portion of an establishment licensed to dispense

804 alcoholic beverages for consumption on the premises, which

805 portion of the establishment is primarily devoted to such

806 purpose;

807 13. Any college or university facility unless the licensee

808 is a registered student, employee, or faculty member of such

809 college or university and the weapon is a stun gun or nonlethal

810 electric weapon or device designed solely for defensive purposes

811 and the weapon does not fire a dart or projectile;

812 14. The inside of the passenger terminal and sterile area

813 of any airport, provided that no person shall be prohibited from

814 carrying any legal firearm into the terminal, which firearm is

815 encased for shipment for purposes of checking such firearm as

816 baggage to be lawfully transported on any aircraft; or

817 15. Any place where the carrying of firearms is prohibited

818 by federal law.

819 (b) A person licensed under this section is ~~shall~~ not ~~be~~

820 prohibited from carrying or storing a firearm in a vehicle for

821 lawful purposes.

822 (c) This section does not modify the terms or conditions

823 of s. 790.251(7).

824 (d) Any person who knowingly and willfully violates any

825 provision of this subsection commits a misdemeanor of the second

826 degree, punishable as provided in s. 775.082 or s. 775.083.

827 (13) Notwithstanding any other law, for the purposes of
 828 safety, security, personal protection, or any other lawful
 829 purpose, a person licensed under this section may carry a
 830 concealed weapon or concealed firearm on property owned, rented,
 831 leased, borrowed, or lawfully used by a church, synagogue, or
 832 other religious institution. This subsection does not limit the
 833 private property rights of a church, synagogue, or other
 834 religious institution to exercise control over property that the
 835 church, synagogue, or other religious institution owns, rents,
 836 leases, borrows, or lawfully uses.

837 (16) The Legislature finds as a matter of public policy
 838 and fact that it is necessary to provide statewide uniform
 839 standards for issuing licenses to carry concealed weapons and
 840 concealed firearms ~~for self-defense~~ and finds it necessary to
 841 occupy the field of regulation of the bearing of concealed
 842 weapons or concealed firearms ~~for self-defense to ensure that no~~
 843 ~~honest, law-abiding person who qualifies under the provisions of~~
 844 ~~this section is subjectively or arbitrarily denied his or her~~
 845 ~~rights~~. The Department of Agriculture and Consumer Services
 846 shall implement and administer ~~the provisions of~~ this section.
 847 The Legislature does not delegate to the Department of
 848 Agriculture and Consumer Services the authority to regulate or
 849 restrict the issuing of licenses provided for in this section,
 850 beyond those provisions contained in this section. Subjective or

851 arbitrary actions or rules which encumber the issuing process by
 852 placing burdens on the applicant beyond those sworn statements
 853 and specified documents detailed in this section or which create
 854 restrictions beyond those specified in this section are in
 855 conflict with the intent of this section and are prohibited.
 856 This section shall be liberally construed to carry out the
 857 constitutional right to bear arms ~~for self-defense~~. This section
 858 is supplemental and additional to existing rights to bear arms,
 859 and nothing in this section shall impair or diminish such
 860 rights.

861 Section 11. Paragraph (a) of subsection (2) of section
 862 790.0655, Florida Statutes, is amended to read:

863 790.0655 Purchase and delivery of firearms; mandatory
 864 waiting period; exceptions; penalties.—

865 (2) The waiting period does not apply in the following
 866 circumstances:

867 (a) When a firearm is being purchased by a holder of a
 868 concealed weapons or concealed firearms license issued under
 869 ~~permit as defined in~~ s. 790.06.

870 Section 12. Subsection (1) and paragraphs (a), (b), (c),
 871 and (e) of subsection (2) of section 790.115, Florida Statutes,
 872 are amended to read:

873 790.115 Possessing or discharging weapons or firearms at a
 874 school-sponsored event or on school property prohibited;
 875 penalties; exceptions.—

876 (1) A person who exhibits any sword, sword cane, firearm,
 877 electric weapon or device, destructive device, or other weapon
 878 as defined in s. 790.001 ~~s. 790.001(13)~~, including a razor
 879 blade, box cutter, or common pocketknife, except as authorized
 880 in support of school-sanctioned activities, in the presence of
 881 one or more persons in a rude, careless, angry, or threatening
 882 manner and not in lawful self-defense, at a school-sponsored
 883 event or on the grounds or facilities of any school, school bus,
 884 or school bus stop, or within 1,000 feet of the real property
 885 that comprises a public or private elementary school, middle
 886 school, or secondary school, during school hours or during the
 887 time of a sanctioned school activity, commits a felony of the
 888 third degree, punishable as provided in s. 775.082, s. 775.083,
 889 or s. 775.084. This subsection does not apply to the exhibition
 890 of a firearm or weapon on private real property within 1,000
 891 feet of a school by the owner of such property or by a person
 892 whose presence on such property has been authorized, licensed,
 893 or invited by the owner.

894 (2)(a) A person shall not possess any firearm, electric
 895 weapon or device, destructive device, or other weapon as defined
 896 in s. 790.001 ~~s. 790.001(13)~~, including a razor blade or box
 897 cutter, except as authorized in support of school-sanctioned
 898 activities, at a school-sponsored event or on the property of
 899 any school, school bus, or school bus stop; however, a person
 900 may carry a firearm:

901 1. In a case to a firearms program, class or function
 902 which has been approved in advance by the principal or chief
 903 administrative officer of the school as a program or class to
 904 which firearms could be carried;

905 2. In a case to a career center having a firearms training
 906 range; or

907 3. In a vehicle pursuant to s. 790.25(4) ~~s. 790.25(5)~~;
 908 except that school districts may adopt written and published
 909 policies that waive the exception in this subparagraph for
 910 purposes of student and campus parking privileges.

911
 912 For the purposes of this section, "school" means any preschool,
 913 elementary school, middle school, junior high school, secondary
 914 school, career center, or postsecondary school, whether public
 915 or nonpublic.

916 (b) Except as provided in paragraph (e), a person who
 917 willfully and knowingly possesses any electric weapon or device,
 918 destructive device, or other weapon as defined in s. 790.001 ~~s.~~
 919 ~~790.001(13)~~, including a razor blade or box cutter, except as
 920 authorized in support of school-sanctioned activities, in
 921 violation of this subsection commits a felony of the third
 922 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 923 775.084.

924 (c)1. Except as provided in paragraph (e), a person who
 925 willfully and knowingly possesses any firearm in violation of

926 | this subsection commits a felony of the third degree, punishable
 927 | as provided in s. 775.082, s. 775.083, or s. 775.084.

928 | 2. A person who stores or leaves a loaded firearm within
 929 | the reach or easy access of a minor who obtains the firearm and
 930 | commits a violation of subparagraph 1. commits a misdemeanor of
 931 | the second degree, punishable as provided in s. 775.082 or s.
 932 | 775.083; except that this does not apply if the firearm was
 933 | stored or left in a securely locked box or container or in a
 934 | location which a reasonable person would have believed to be
 935 | secure, or was securely locked with a firearm-mounted push-
 936 | button combination lock or a trigger lock; if the minor obtains
 937 | the firearm as a result of an unlawful entry by any person; or
 938 | to members of the Armed Forces, National Guard, or State
 939 | Militia, or to police or other law enforcement officers, with
 940 | respect to firearm possession by a minor which occurs during or
 941 | incidental to the performance of their official duties.

942 | (e) A person who is authorized to carry a concealed weapon
 943 | or concealed firearm under s. 790.01(1) and who willfully and
 944 | knowingly violates paragraph (b) or subparagraph (c)1. commits a
 945 | misdemeanor of the second degree, punishable as provided in s.
 946 | 775.082 or s. 775.083 ~~The penalties of this subsection shall not~~
 947 | ~~apply to persons licensed under s. 790.06. Persons licensed~~
 948 | ~~under s. 790.06 shall be punished as provided in s. 790.06(12),~~
 949 | ~~except that a licenseholder who unlawfully discharges a weapon~~
 950 | ~~or firearm on school property as prohibited by this subsection~~

951 ~~commits a felony of the second degree, punishable as provided in~~
 952 ~~s. 775.082, s. 775.083, or s. 775.084.~~

953 Section 13. Section 790.145, Florida Statutes, is
 954 repealed.

955 Section 14. Subsection (2), subsection (3), and subsection
 956 (5) of section 790.25, Florida Statutes, are amended to read:

957 790.25 Lawful ownership, possession, and use of firearms
 958 and other weapons.—

959 ~~(2) USES NOT AUTHORIZED.—~~

960 ~~(a) This section does not authorize carrying a concealed~~
 961 ~~weapon without a permit, as prohibited by ss. 790.01 and 790.02.~~

962 ~~(b) The protections of this section do not apply to the~~
 963 ~~following:~~

964 ~~1. A person who has been adjudged mentally incompetent,~~
 965 ~~who is addicted to the use of narcotics or any similar drug, or~~
 966 ~~who is a habitual or chronic alcoholic, or a person using~~
 967 ~~weapons or firearms in violation of ss. 790.07-790.115, 790.145-~~
 968 ~~790.19, 790.22-790.24;~~

969 ~~2. Vagrants and other undesirable persons as defined in s.~~
 970 ~~856.02;~~

971 ~~3. A person in or about a place of nuisance as defined in~~
 972 ~~s. 823.05, unless such person is there for law enforcement or~~
 973 ~~some other lawful purpose.~~

974 ~~(2)(3) LAWFUL USES.—Notwithstanding the provisions of ss.~~
 975 ~~790.01, 790.053, and 790.06, do not apply in the following~~

976 ~~instances, and, despite such sections, it is lawful for the~~
 977 following persons may ~~to~~ own, possess, and lawfully use firearms
 978 and other weapons, ammunition, and supplies for lawful purposes
 979 if they are not otherwise prohibited from owning or possessing a
 980 firearm under state or federal law:

981 (a) Members of the Militia, National Guard, Florida State
 982 Defense Force, Army, Navy, Air Force, Marine Corps, Space Force,
 983 Coast Guard, organized reserves, and other armed forces of the
 984 state and of the United States, when on duty, when training or
 985 preparing themselves for military duty, or while subject to
 986 recall or mobilization;

987 (b) Citizens of this state subject to duty in the Armed
 988 Forces under s. 2, Art. X of the State Constitution, under
 989 chapters 250 and 251, and under federal laws, when on duty or
 990 when training or preparing themselves for military duty;

991 (c) Persons carrying out or training for emergency
 992 management duties under chapter 252;

993 (d) Sheriffs, marshals, prison or jail wardens, police
 994 officers, Florida highway patrol officers, game wardens, revenue
 995 officers, forest officials, special officers appointed under the
 996 provisions of chapter 354, and other peace and law enforcement
 997 officers and their deputies and assistants and full-time paid
 998 peace officers of other states and of the Federal Government who
 999 are carrying out official duties while in this state;

1000 (e) Officers or employees of the state or United States

1001 | duly authorized to carry a concealed weapon or a concealed
 1002 | firearm;

1003 | (f) Guards or messengers of common carriers, express
 1004 | companies, armored car carriers, mail carriers, banks, and other
 1005 | financial institutions, while actually employed in and about the
 1006 | shipment, transportation, or delivery of any money, treasure,
 1007 | bullion, bonds, or other thing of value within this state;

1008 | (g) Regularly enrolled members of any organization duly
 1009 | authorized to purchase or receive weapons or firearms from the
 1010 | United States or from this state, or regularly enrolled members
 1011 | of clubs organized for target, skeet, or trap shooting, while at
 1012 | or going to or from shooting practice; or regularly enrolled
 1013 | members of clubs organized for modern or antique firearms
 1014 | collecting, while such members are at or going to or from their
 1015 | collectors' gun shows, conventions, or exhibits;

1016 | (h) A person engaged in fishing, camping, or lawful
 1017 | hunting or going to or returning from a fishing, camping, or
 1018 | lawful hunting expedition;

1019 | (i) A person engaged in the business of manufacturing,
 1020 | repairing, or dealing in firearms, or the agent or
 1021 | representative of any such person while engaged in the lawful
 1022 | course of such business;

1023 | (j) A person discharging a weapon or firearm ~~firing~~
 1024 | ~~weapons~~ for testing or target practice under safe conditions and
 1025 | in a safe place not prohibited by law or going to or from such

1026 place;

1027 (k) A person discharging a weapon or firearm firing
 1028 ~~weapons~~ in a safe and secure indoor range for testing and target
 1029 practice;

1030 (l) A person traveling ~~by private conveyance when the~~
 1031 ~~weapon is securely encased or~~ in a public conveyance when the
 1032 weapon or firearm is securely encased and not in the person's
 1033 manual possession;

1034 (m) A person while carrying a handgun ~~pistol~~ unloaded and
 1035 in a secure wrapper, concealed or otherwise, from the place of
 1036 purchase to his or her home or place of business or to a place
 1037 of repair or back to his or her home or place of business;

1038 (n) A person possessing weapons or firearms ~~arms~~ at his or
 1039 her home or place of business;

1040 (o) Investigators employed by the several public defenders
 1041 of the state, while actually carrying out official duties,
 1042 provided such investigators:

- 1043 1. Are employed full time;
- 1044 2. Meet the official training standards for firearms
 1045 established by the Criminal Justice Standards and Training
 1046 Commission as provided in s. 943.12(5) and the requirements of
 1047 ss. 493.6108(1)(a) and 943.13(1)-(4); and
- 1048 3. Are individually designated by an affidavit of consent
 1049 signed by the employing public defender and filed with the clerk
 1050 of the circuit court in the county in which the employing public

1051 defender resides.

1052 (p) Investigators employed by the capital collateral
 1053 regional counsel, while actually carrying out official duties,
 1054 provided such investigators:

- 1055 1. Are employed full time;
- 1056 2. Meet the official training standards for firearms as
 1057 established by the Criminal Justice Standards and Training
 1058 Commission as provided in s. 943.12(1) and the requirements of
 1059 ss. 493.6108(1)(a) and 943.13(1)-(4); and
- 1060 3. Are individually designated by an affidavit of consent
 1061 signed by the capital collateral regional counsel and filed with
 1062 the clerk of the circuit court in the county in which the
 1063 investigator is headquartered.

1064 (q)1. A tactical medical professional who is actively
 1065 operating in direct support of a tactical operation by a law
 1066 enforcement agency provided that:

1067 a. The tactical medical professional is lawfully able to
 1068 possess firearms and has an active concealed weapon or concealed
 1069 firearm license ~~weapons permit~~ issued pursuant to s. 790.06.

1070 b. The tactical medical professional is appointed to a law
 1071 enforcement tactical team of a law enforcement agency by the
 1072 head of the law enforcement agency.

1073 c. The law enforcement agency has an established policy
 1074 providing for the appointment, training, and deployment of the
 1075 tactical medical professional.

1076 d. The tactical medical professional successfully
 1077 completes a firearms safety training and tactical training as
 1078 established or designated by the appointing law enforcement
 1079 agency.

1080 e. The law enforcement agency provides and the tactical
 1081 medical professional participates in annual firearm training and
 1082 tactical training.

1083 2. While actively operating in direct support of a
 1084 tactical operation by a law enforcement agency, a tactical
 1085 medical professional:

1086 a. May carry a firearm in the same manner as a law
 1087 enforcement officer, as defined in s. 943.10 and,
 1088 notwithstanding any other law, at any place a tactical law
 1089 enforcement operation occurs.

1090 b. Has no duty to retreat and is justified in the use of
 1091 any force which he or she reasonably believes is necessary to
 1092 defend himself or herself or another from bodily harm.

1093 c. Has the same immunities and privileges as a law
 1094 enforcement officer, as defined in s. 943.10, in a civil or
 1095 criminal action arising out of a tactical law enforcement
 1096 operation when acting within the scope of his or her official
 1097 duties.

1098 3. This paragraph may not be construed to authorize a
 1099 tactical medical professional to carry, transport, or store any
 1100 firearm or ammunition on any fire apparatus or EMS vehicle.

1101 4. The appointing law enforcement agency shall issue any
 1102 firearm or ammunition that the tactical medical professional
 1103 carries in accordance with this paragraph.

1104 5. For the purposes of this paragraph, the term "tactical
 1105 medical professional" means a paramedic, as defined in s.
 1106 401.23, a physician, as defined in s. 458.305, or an osteopathic
 1107 physician, as defined in s. 459.003, who is appointed to provide
 1108 direct support to a tactical law enforcement unit by providing
 1109 medical services at high-risk incidents, including, but not
 1110 limited to, hostage incidents, narcotics raids, hazardous
 1111 surveillance, sniper incidents, armed suicidal persons,
 1112 barricaded suspects, high-risk felony warrant service, fugitives
 1113 refusing to surrender, and active shooter incidents.

1114 ~~(4)-(5)~~ POSSESSION IN PRIVATE CONVEYANCE.—

1115 (a) Notwithstanding s. 790.01, a person 18 years of age or
 1116 older who is in lawful possession of a handgun or other weapon
 1117 may possess such a handgun or weapon within the interior of a
 1118 private conveyance if the handgun or weapon is securely encased
 1119 or otherwise not readily accessible for immediate use. A person
 1120 who possesses a handgun or other weapon as authorized under this
 1121 paragraph may not carry the handgun or weapon on his or her
 1122 person.

1123 (b) This subsection does not prohibit a person from
 1124 carrying a:

1125 1. Legal firearm other than a handgun anywhere in a

1126 private conveyance when such firearm is being carried for a
 1127 lawful use; or

1128 2. Concealed weapon or concealed firearm on his or her
 1129 person while in a private conveyance if he or she is authorized
 1130 to carry a concealed weapon or concealed firearm under s.
 1131 790.01(1).

1132 (c) This subsection shall be liberally construed in favor
 1133 of the lawful use, ownership, and possession of firearms and
 1134 other weapons, including lawful self-defense as provided in s.
 1135 776.012. Notwithstanding subsection (2), it is lawful and is not
 1136 a violation of s. 790.01 for a person 18 years of age or older
 1137 to possess a concealed firearm or other weapon for self-defense
 1138 or other lawful purpose within the interior of a private
 1139 conveyance, without a license, if the firearm or other weapon is
 1140 securely encased or is otherwise not readily accessible for
 1141 immediate use. Nothing herein contained prohibits the carrying
 1142 of a legal firearm other than a handgun anywhere in a private
 1143 conveyance when such firearm is being carried for a lawful use.
 1144 Nothing herein contained shall be construed to authorize the
 1145 carrying of a concealed firearm or other weapon on the person.
 1146 This subsection shall be liberally construed in favor of the
 1147 lawful use, ownership, and possession of firearms and other
 1148 weapons, including lawful self-defense as provided in s.
 1149 776.012.

1150 Section 15. Paragraph (c) of subsection (2) and paragraph

1151 (c) of subsection (4) of section 790.251, Florida Statutes, are
 1152 amended to read:

1153 790.251 Protection of the right to keep and bear arms in
 1154 motor vehicles for self-defense and other lawful purposes;
 1155 prohibited acts; duty of public and private employers; immunity
 1156 from liability; enforcement.—

1157 (2) DEFINITIONS.—As used in this section, the term:

1158 (c) "Employee" means any person who is authorized to carry
 1159 a concealed weapon or concealed firearm under s. 790.01(1)
 1160 ~~possesses a valid license issued pursuant to s. 790.06~~ and:

- 1161 1. Works for salary, wages, or other remuneration;
- 1162 2. Is an independent contractor; or
- 1163 3. Is a volunteer, intern, or other similar individual for
 1164 an employer.

1165
 1166 As used in this section, the term "firearm" includes ammunition
 1167 and accoutrements attendant to the lawful possession and use of
 1168 a firearm.

1169 (4) PROHIBITED ACTS.—No public or private employer may
 1170 violate the constitutional rights of any customer, employee, or
 1171 invitee as provided in paragraphs (a)–(e):

1172 (c) No public or private employer shall condition
 1173 employment upon either:

- 1174 1. The fact that an employee or prospective employee is
 1175 authorized to carry a concealed weapon or concealed firearm

1176 ~~under s. 790.01(1) holds or does not hold a license issued~~
 1177 ~~pursuant to s. 790.06; or~~

1178 2. Any agreement by an employee or a prospective employee
 1179 that prohibits an employee from keeping a legal firearm locked
 1180 inside or locked to a private motor vehicle in a parking lot
 1181 when such firearm is kept for lawful purposes.

1182
 1183 This subsection applies to all public sector employers,
 1184 including those already prohibited from regulating firearms
 1185 under ~~the provisions of~~ s. 790.33.

1186 Section 16. Paragraph (c) of subsection (1) of section
 1187 790.31, Florida Statutes, is amended to read:

1188 790.31 Armor-piercing or exploding ammunition or dragon's
 1189 breath shotgun shells, bolo shells, or flechette shells
 1190 prohibited.-

1191 (1) As used in this section, the term:

1192 ~~(c) "Handgun" means a firearm capable of being carried and~~
 1193 ~~used by one hand, such as a pistol or revolver.~~

1194 Section 17. Effective upon becoming a law, section
 1195 943.6873, Florida Statutes, is created to read:

1196 943.6873 Active assailant response policy.-For the
 1197 protection of all persons in this state, it is necessary and
 1198 required that every law enforcement agency in this state be
 1199 prepared to respond to an active assailant event. To be
 1200 adequately prepared, each law enforcement agency must create and

1201 maintain an active assailant response policy.

1202 (1) By October 1, 2023, each law enforcement agency in

1203 this state shall have a written active assailant response policy

1204 that:

1205 (a) Is consistent with the agency's response capabilities;

1206 and

1207 (b) Includes response procedures specifying the command

1208 protocol and coordination with other law enforcement agencies.

1209 (2)(a) The department shall make the model active

1210 assailant response policy developed by the Marjory Stoneman

1211 Douglas High School Public Safety Commission available on its

1212 website. The department may also make available any other

1213 policies deemed appropriate by the executive director which may

1214 guide a law enforcement agency in developing its active

1215 assailant response policy.

1216 (b) Each law enforcement agency must review the model

1217 active assailant response policy developed by the Marjory

1218 Stoneman Douglas High School Public Safety Commission when

1219 developing its active assailant response policy.

1220 (3) Each law enforcement agency shall ensure that all of

1221 its sworn personnel have been trained on the agency's existing

1222 active assailant response policy, or that sworn personnel are

1223 trained within 180 days after enacting a new or revised policy.

1224 Each law enforcement agency must ensure that all of its sworn

1225 personnel receive, at minimum, annual training on the active

1226 assailant response policy.

1227 (4) By October 1, 2023, each law enforcement agency shall
 1228 provide written certification to the department from the head of
 1229 the law enforcement agency verifying that the agency has
 1230 officially adopted a written active assailant response policy.

1231 (5) By January 1, 2024, the department shall submit a
 1232 report to the Governor, the President of the Senate, and the
 1233 Speaker of the House of Representatives identifying each law
 1234 enforcement agency that has not complied with the requirements
 1235 of this section.

1236 Section 18. Effective upon becoming a law, subsections
 1237 (12) and (13) of section 1001.212, Florida Statutes, are amended
 1238 to read:

1239 1001.212 Office of Safe Schools.—There is created in the
 1240 Department of Education the Office of Safe Schools. The office
 1241 is fully accountable to the Commissioner of Education. The
 1242 office shall serve as a central repository for best practices,
 1243 training standards, and compliance oversight in all matters
 1244 regarding school safety and security, including prevention
 1245 efforts, intervention efforts, and emergency preparedness
 1246 planning. The office shall:

1247 (12) Develop a statewide behavioral threat management
 1248 operational process, a Florida-specific behavioral threat
 1249 assessment instrument, and a threat management portal.

1250 (a)1. By December 1, 2023, the office shall develop a

1251 statewide behavioral threat management operational process to
 1252 guide school districts, schools, charter school governing
 1253 boards, and charter schools through the threat management
 1254 process. The process must be designed to identify, assess,
 1255 manage, and monitor potential and real threats to schools. This
 1256 process must include, but is not limited to:

- 1257 a. The establishment and duties of threat management
 1258 teams.
- 1259 b. Defining behavior risks and threats.
- 1260 c. The use of the Florida-specific behavioral threat
 1261 assessment instrument developed pursuant to paragraph (b) to
 1262 evaluate the behavior of students who may pose a threat to the
 1263 school, school staff, or other students and to coordinate
 1264 intervention and services for such students.
- 1265 d. Upon the availability of the threat management portal
 1266 developed pursuant to paragraph (c), the use, authorized user
 1267 criteria, and access specifications of the portal.
- 1268 e. Procedures for the implementation of interventions,
 1269 school support, and community services.
- 1270 f. Guidelines for appropriate law enforcement
 1271 intervention.
- 1272 g. Procedures for risk management.
- 1273 h. Procedures for disciplinary actions.
- 1274 i. Mechanisms for continued monitoring of potential and
 1275 real threats.

1276 j. Procedures for referrals to mental health services
 1277 identified by the school district or charter school governing
 1278 board pursuant to s. 1012.584(4).

1279 k. Procedures and requirements necessary for the creation
 1280 of a threat assessment report, all corresponding documentation,
 1281 and any other information required by the Florida-specific
 1282 behavioral threat assessment instrument under paragraph (b).

1283 2. Upon availability, each school district, school,
 1284 charter school governing board, and charter school must use the
 1285 statewide behavioral threat management operational process.

1286 3. The office shall provide training to all school
 1287 districts, schools, charter school governing boards, and charter
 1288 schools on the statewide behavioral threat management
 1289 operational process.

1290 4. The office shall coordinate the ongoing development,
 1291 implementation, and operation of the statewide behavioral threat
 1292 management operational process.

1293 (b)1. By August 1, 2023 ~~2019~~, the office shall develop a
 1294 Florida-specific ~~standardized, statewide~~ behavioral threat
 1295 assessment instrument for school districts, schools, charter
 1296 school governing boards, and charter schools to use to evaluate
 1297 the behavior of students who may pose a threat to the school,
 1298 school staff, or students and to coordinate intervention and
 1299 services for such students. The Florida-specific behavioral
 1300 threat assessment instrument must include, but is not limited

1301 ~~to: use by all public schools, including charter schools, which~~
 1302 ~~addresses early identification, evaluation, early intervention,~~
 1303 ~~and student support.~~

1304 ~~(a) The standardized, statewide behavioral threat~~
 1305 ~~assessment instrument must include, but need not be limited to,~~
 1306 ~~components and forms that address:~~

1307 ~~a.1.~~ An assessment of the threat, which includes an
 1308 assessment of the student, family, and school and social
 1309 dynamics.

1310 ~~b.2.~~ An evaluation to determine whether a threat exists
 1311 and if so, if the type of threat is transient or substantive.

1312 ~~c.3.~~ The response to a ~~substantive~~ threat, which includes
 1313 the school response, ~~and~~ the role of law enforcement agencies in
 1314 the response, and the response by mental health providers.

1315 ~~d.4.~~ ~~The response to a serious substantive threat,~~
 1316 ~~including mental health and law enforcement referrals.~~

1317 ~~5.~~ Ongoing monitoring to assess implementation of threat
 1318 management and safety strategies.

1319 ~~e.~~ Ongoing monitoring to evaluate interventions and
 1320 support provided to the students.

1321 ~~f.~~ A standardized threat assessment report, which must
 1322 include, but need not be limited to, all documentation
 1323 associated with the evaluation, intervention, management, and
 1324 any ongoing monitoring of the threat.

1325 2. A report, all corresponding documentation, and any

1326 other information required by the instrument in the threat
 1327 management portal under paragraph (c) is an education record and
 1328 may not be retained, maintained, or transferred, except in
 1329 accordance with State Board of Education rule.

1330 3. Upon availability, each school district, school,
 1331 charter school governing board, and charter school must use the
 1332 Florida-specific behavioral threat assessment instrument.

1333 4.6. The office shall provide training for members of
 1334 threat management assessment teams established under s.
 1335 1006.07(7) and for all school districts and charter school
 1336 governing boards school administrators regarding the use of the
 1337 Florida-specific behavioral threat assessment instrument.

1338 (c)1. By August 1, 2025, the office shall develop, host,
 1339 maintain, and administer a threat management portal that will
 1340 digitize the Florida-specific behavioral threat assessment
 1341 instrument for use by each school district, school, charter
 1342 school governing board, and charter school. The portal will also
 1343 facilitate the electronic threat assessment reporting and
 1344 documentation as required by the Florida-specific behavioral
 1345 threat assessment instrument to evaluate the behavior of
 1346 students who may pose a threat to the school, school staff, or
 1347 students and to coordinate intervention and services for such
 1348 students. The portal may not provide the office with access to
 1349 the portal unless authorized in accordance with State Board of
 1350 Education rule. The portal must include, but need not be limited

- 1351 to, the following functionalities:
- 1352 a. Workflow processes that align with the statewide
1353 behavioral threat management operational process.
- 1354 b. Direct data entry and file uploading as required by the
1355 Florida-specific behavioral threat assessment instrument.
- 1356 c. The ability to create a threat assessment report as
1357 required by the Florida-specific behavioral threat assessment
1358 instrument.
- 1359 d. The ability of authorized personnel to add to or update
1360 a threat assessment report, all corresponding documentation, or
1361 any other information required by the Florida-specific
1362 behavioral threat assessment instrument.
- 1363 e. The ability to create and remove connections between
1364 education records in the portal and authorized personnel.
- 1365 f. The ability to grant access to and securely transfer
1366 any education records in the portal to other schools or charter
1367 schools in the district.
- 1368 g. The ability to grant access to and securely transfer
1369 any education records in the portal to schools and charter
1370 schools not in the originating district.
- 1371 h. The ability to retain, maintain, and transfer education
1372 records in the portal in accordance with State Board of
1373 Education rule.
- 1374 i. The ability to restrict access to, entry of,
1375 modification of, and transfer of education records in the portal

1376 to a school district, school, charter school governing board, or
 1377 charter school and authorized personnel as specified by the
 1378 statewide behavioral threat management operational process.

1379 j. The ability to designate school district or charter
 1380 school governing board system administrators who may grant
 1381 access to authorized school district and charter school
 1382 governing board personnel and school and charter school system
 1383 administrators.

1384 k. The ability to designate school or charter school
 1385 system administrators who may grant access to authorized school
 1386 or charter school personnel.

1387 1. The ability to notify the office's system
 1388 administrators and school district or charter school governing
 1389 board system administrators of attempts to access any education
 1390 records by unauthorized personnel.

1391 2. Upon availability, each school district, school,
 1392 charter school governing board, and charter school shall use the
 1393 portal.

1394 3. A threat assessment report, all corresponding
 1395 documentation, and any other information required by the
 1396 Florida-specific behavioral threat assessment instrument which
 1397 is maintained in the portal is an education record and may not
 1398 be retained, maintained, or transferred, except in accordance
 1399 with State Board of Education rule.

1400 4. The office and the office system administrators may not

1401 have access to a threat assessment report, all corresponding
 1402 documentation, and any other information required by the
 1403 Florida-specific behavioral threat assessment instrument which
 1404 is maintained in the portal.

1405 5. A school district or charter school governing board may
 1406 not have access to the education records in the portal, except
 1407 in accordance with State Board of Education rule.

1408 6. The parent of a student may access his or her student's
 1409 education records in the portal in accordance with State Board
 1410 of Education rule, but may not have access to the portal.

1411 7. The office shall develop and implement a quarterly
 1412 portal access review audit process.

1413 8. Upon availability, each school district, school,
 1414 charter school governing board, and charter school shall comply
 1415 with the quarterly portal access review audit process developed
 1416 by the office.

1417 9. By August 1, 2025, and annually thereafter, the office
 1418 shall provide role-based training to all authorized school
 1419 district, school, charter school governing board, and charter
 1420 school personnel.

1421 10. Any individual who accesses, uses, or releases any
 1422 education record contained in the portal for a purpose not
 1423 specifically authorized by law commits a noncriminal infraction,
 1424 punishable by a fine not exceeding \$2,000.

1425 (d)-(b) The office shall÷

1426 ~~1.~~ by August 1 of each year: ~~2020~~,

1427 1. Evaluate each school district's and charter school

1428 governing board's use of the statewide behavioral threat

1429 management operational process, the Florida-specific behavioral

1430 threat assessment instrument, and the threat management portal

1431 ~~procedures~~ for compliance with this subsection.

1432 2. Notify the district school superintendent or charter

1433 school governing board, as applicable, if the use of the

1434 statewide behavioral threat management operational process, the

1435 Florida-specific behavioral threat assessment instrument, and

1436 the threat management portal is not in compliance with this

1437 subsection.

1438 3. Report any issues of ongoing noncompliance with this

1439 subsection to the commissioner and the district school

1440 superintendent or the charter school governing board, as

1441 applicable.

1442 ~~(13) Establish the Statewide Threat Assessment Database~~

1443 ~~Workgroup, composed of members appointed by the department, to~~

1444 ~~complement the work of the department and the Department of Law~~

1445 ~~Enforcement associated with the centralized integrated data~~

1446 ~~repository and data analytics resources initiative and make~~

1447 ~~recommendations regarding the development of a statewide threat~~

1448 ~~assessment database. The database must allow authorized public~~

1449 ~~school personnel to enter information related to any threat~~

1450 ~~assessment conducted at their respective schools using the~~

1451 ~~instrument developed by the office pursuant to subsection (12),~~
1452 ~~and must provide such information to authorized personnel in~~
1453 ~~each school district and public school and to appropriate~~
1454 ~~stakeholders. By December 31, 2019, the workgroup shall provide~~
1455 ~~a report to the office with recommendations that include, but~~
1456 ~~need not be limited to:~~

1457 ~~(a) Threat assessment data that should be required to be~~
1458 ~~entered into the database.~~

1459 ~~(b) School district and public school personnel who should~~
1460 ~~be allowed to input student records to the database and view~~
1461 ~~such records.~~

1462 ~~(c) Database design and functionality, to include data~~
1463 ~~security.~~

1464 ~~(d) Restrictions and authorities on information sharing,~~
1465 ~~including:~~

1466 ~~1. Section 1002.22 and other applicable state laws.~~

1467 ~~2. The Family Educational Rights and Privacy Act (FERPA),~~
1468 ~~20 U.S.C. s. 1232g, 42 C.F.R. part 2; the Health Insurance~~
1469 ~~Portability and Accountability Act (HIPAA), 42 U.S.C. s. 1320d6,~~
1470 ~~45 C.F.R. part 164, subpart E; and other applicable federal~~
1471 ~~laws.~~

1472 ~~3. The appropriateness of interagency agreements that will~~
1473 ~~allow law enforcement to view database records.~~

1474 ~~(e) The cost to develop and maintain a statewide online~~
1475 ~~database.~~

1476 ~~(f) An implementation plan and timeline for the workgroup~~
 1477 ~~recommendations.~~

1478 Section 19. Effective upon becoming a law, the State Board
 1479 of Education may, and all conditions are deemed met, to adopt
 1480 emergency rules pursuant to s. 120.54(4), Florida Statutes, to
 1481 administer the amendments made to s. 1001.212(12), Florida
 1482 Statutes, by this act. Notwithstanding any other law, emergency
 1483 rules adopted pursuant to this section are effective for 6
 1484 months after adoption and may be renewed during the pendency of
 1485 procedures to adopt permanent rules addressing the subject of
 1486 the emergency rules. This section expires July 1, 2024.

1487 Section 20. Subsection (18) is added to section 1002.42,
 1488 Florida Statutes, to read:

1489 1002.42 Private schools.—

1490 (18) SAFE SCHOOL OFFICERS.—

1491 (a) A private school may partner with a law enforcement
 1492 agency or a security agency to establish or assign one or more
 1493 safe-school officers established in s. 1006.12(1)-(4). The
 1494 private school is responsible for the full cost of implementing
 1495 any such option, which includes all training costs under the
 1496 Coach Aaron Feis Guardian Program under s. 30.15(1)(k).

1497 (b) A private school that establishes a safe-school
 1498 officer must comply with the requirements of s. 1006.12.
 1499 References to a school district, district school board, or
 1500 district school superintendent in s. 1006.12(1)-(5) shall also

1501 mean a private school governing board or private school head of
 1502 school, as applicable. References to a school district employee
 1503 in s. 1006.12(3) shall also mean a private school employee.

1504 Section 21. Effective upon becoming a law, subsection (2)
 1505 of section 1003.25, Florida Statutes, is amended to read:

1506 1003.25 Procedures for maintenance and transfer of student
 1507 records.—

1508 (2) The procedure for transferring and maintaining records
 1509 of students who transfer from school to school is ~~shall be~~
 1510 prescribed by rules of the State Board of Education. The
 1511 transfer of records must ~~shall~~ occur within 3 school days. The
 1512 records must ~~shall~~ include, if applicable:

1513 (a) Verified reports of serious or recurrent behavior
 1514 patterns, including any threat assessment report, all
 1515 corresponding documentation, and any other information required
 1516 by the Florida-specific behavioral threat assessment instrument
 1517 pursuant to s. 1001.212(12) which contains the evaluation,
 1518 evaluations and intervention, and management of the threat
 1519 assessment evaluations and intervention services.

1520 (b) Psychological evaluations, including therapeutic
 1521 treatment plans and therapy or progress notes created or
 1522 maintained by school district or charter school staff, as
 1523 appropriate.

1524 Section 22. Effective upon becoming a law, subsections (7)
 1525 and (9) of section 1006.07, Florida Statutes, are amended to

1526 read:

1527 1006.07 District school board duties relating to student
 1528 discipline and school safety.—The district school board shall
 1529 provide for the proper accounting for all students, for the
 1530 attendance and control of students at school, and for proper
 1531 attention to health, safety, and other matters relating to the
 1532 welfare of students, including:

1533 (7) THREAT MANAGEMENT ASSESSMENT TEAMS.—Each district
 1534 school board and charter school governing board shall establish
 1535 ~~a adopt policies for the establishment of threat management team~~
 1536 ~~assessment teams~~ at each school whose duties include the
 1537 coordination of resources and assessment and intervention with
 1538 students ~~individuals~~ whose behavior may pose a threat to the
 1539 safety of the school, school staff, or students ~~consistent with~~
 1540 ~~the model policies developed by the Office of Safe Schools. Such~~
 1541 ~~policies must include procedures for referrals to mental health~~
 1542 ~~services identified by the school district pursuant to s.~~
 1543 ~~1012.584(4), when appropriate, and procedures for behavioral~~
 1544 ~~threat assessments in compliance with the instrument developed~~
 1545 ~~pursuant to s. 1001.212(12).~~

1546 (a) Upon the availability of a statewide behavioral threat
 1547 management operational process developed pursuant to s.
 1548 1001.212(12), all threat management teams shall use the
 1549 operational process.

1550 (b) A threat management ~~assessment~~ team shall include

1551 persons with expertise in counseling, instruction, school
1552 administration, and law enforcement, and at least one
1553 instructional or administrative personnel, pursuant to s.
1554 1012.01(2) and (3), who is personally familiar with the
1555 individual who is the subject of the threat assessment. All
1556 members of the threat management ~~assessment~~ team must be
1557 involved in the threat assessment and threat management process
1558 and final decisionmaking.

1559 (c) The threat management team ~~assessment teams~~ shall
1560 identify members of the school community to whom threatening
1561 behavior should be reported and provide guidance to students,
1562 faculty, and staff regarding recognition of threatening or
1563 aberrant behavior that may represent a threat to the community,
1564 school, or self.

1565 (d) Upon the availability of the Florida-specific
1566 behavioral threat assessment instrument developed pursuant to s.
1567 1001.212(12), all the threat management teams ~~assessment team~~
1568 shall use that instrument when evaluating the behavior of
1569 students who may pose a threat to the school, school staff, or
1570 students and to coordinate intervention and services for such
1571 students.

1572 (e) ~~(b)~~ Upon a preliminary determination that a student
1573 poses a threat of violence or physical harm to himself or
1574 herself or others, a threat management ~~assessment~~ team shall
1575 immediately report its determination to the superintendent or

1576 his or her designee. The superintendent or his or her designee
 1577 or the charter school administrator or his or her designee shall
 1578 immediately attempt to notify the student's parent or legal
 1579 guardian. Nothing in this subsection precludes ~~shall preclude~~
 1580 school district or charter school governing board personnel from
 1581 acting immediately to address an imminent threat.

1582 (f) ~~(e)~~ Upon a preliminary determination by the threat
 1583 management assessment team that a student poses a threat of
 1584 violence to himself or herself or others or exhibits
 1585 significantly disruptive behavior or need for assistance,
 1586 authorized members of the threat management assessment team may
 1587 obtain criminal history record information pursuant to s.
 1588 985.04(1). A member of a threat management assessment team may
 1589 not disclose any criminal history record information obtained
 1590 pursuant to this section or otherwise use any record of an
 1591 individual beyond the purpose for which such disclosure was made
 1592 to the threat management assessment team.

1593 (g) ~~(d)~~ Notwithstanding any other provision of law, all
 1594 state and local agencies and programs that provide services to
 1595 students experiencing or at risk of an emotional disturbance or
 1596 a mental illness, including the school districts, charter
 1597 schools, school personnel, state and local law enforcement
 1598 agencies, the Department of Juvenile Justice, the Department of
 1599 Children and Families, the Department of Health, the Agency for
 1600 Health Care Administration, the Agency for Persons with

1601 Disabilities, the Department of Education, the Statewide
 1602 Guardian Ad Litem Office, and any service or support provider
 1603 contracting with such agencies, may share with each other
 1604 records or information that are confidential or exempt from
 1605 disclosure under chapter 119 if the records or information are
 1606 reasonably necessary to ensure access to appropriate services
 1607 for the student or to ensure the safety of the student or
 1608 others. All such state and local agencies and programs shall
 1609 communicate, collaborate, and coordinate efforts to serve such
 1610 students.

1611 (h)~~(e)~~ If an immediate mental health or substance abuse
 1612 crisis is suspected, school personnel shall follow steps
 1613 ~~policies~~ established by the threat management ~~assessment~~ team to
 1614 engage behavioral health crisis resources. Behavioral health
 1615 crisis resources, including, but not limited to, mobile crisis
 1616 teams and school resource officers trained in crisis
 1617 intervention, shall provide emergency intervention and
 1618 assessment, make recommendations, and refer the student for
 1619 appropriate services. Onsite school personnel shall report all
 1620 such situations and actions taken to the threat management
 1621 ~~assessment~~ team, which shall contact the other agencies involved
 1622 with the student and any known service providers to share
 1623 information and coordinate any necessary follow-up ~~followup~~
 1624 actions. Upon the student's transfer to a different school, the
 1625 threat management ~~assessment~~ team shall verify that any

1626 intervention services provided to the student remain in place
1627 until the threat management ~~assessment~~ team of the receiving
1628 school independently determines the need for intervention
1629 services.

1630 (i) The threat management team shall prepare a threat
1631 assessment report required by the Florida-specific behavioral
1632 threat assessment instrument developed pursuant to s.
1633 1001.212(12). A threat assessment report, all corresponding
1634 documentation, and any other information required by the
1635 Florida-specific behavioral threat assessment instrument in the
1636 threat management portal is an education record.

1637 ~~(j)(f)~~ Each threat management ~~assessment~~ team ~~established~~
1638 ~~pursuant to this subsection~~ shall report quantitative data on
1639 its activities to the Office of Safe Schools in accordance with
1640 guidance from the office and ~~shall utilize the threat assessment~~
1641 ~~database developed pursuant to s. 1001.212(13) upon the~~
1642 ~~availability of the database.~~

1643 (9) SCHOOL ENVIRONMENTAL SAFETY INCIDENT REPORTING.—Each
1644 district school board shall adopt policies to ensure the
1645 accurate and timely reporting of incidents related to school
1646 safety and discipline. The district school superintendent is
1647 responsible for school environmental safety incident reporting.
1648 A district school superintendent who fails to comply with this
1649 subsection is subject to the penalties specified in law,
1650 including, but not limited to, s. 1001.42(13) (b) or s.

1651 1001.51(12)(b), as applicable. The State Board of Education
 1652 shall adopt rules establishing the requirements for the school
 1653 environmental safety incident report, including those incidents
 1654 that must be reported to a law enforcement agency. Annually, the
 1655 department shall publish on its website the most recently
 1656 available school environmental safety incident data along with
 1657 other school accountability and performance data in a uniform,
 1658 statewide format that is easy to read and understand.

1659 Section 23. Effective upon becoming a law:

1660 (1) The State Board of Education is authorized, and all
 1661 conditions are deemed met, to adopt emergency rules pursuant to
 1662 s. 120.54(4), Florida Statutes, for the purpose of implementing
 1663 the amendments made to s. 1006.07(9), Florida Statutes. The
 1664 Legislature finds that school district discretion over reporting
 1665 criminal incidents to law enforcement has resulted in
 1666 significant under-reporting of serious crimes. The Legislature
 1667 further finds that emergency rulemaking authority is necessary
 1668 to ensure that all reportable incidents that are crimes are
 1669 reported to law enforcement as soon as practicable starting in
 1670 the 2023-2024 school year. Emergency rules adopted under this
 1671 section are exempt from s. 120.54(4)(c), Florida Statutes and
 1672 shall remain in effect until replaced by rules adopted under the
 1673 nonemergency rulemaking procedures of chapter 120, Florida
 1674 Statutes which must occur no later than July 1, 2024.

1675 (2) Notwithstanding any other provision of law, emergency

1676 rules adopted pursuant to subsection (1) are effective for 6
1677 months after adoption and may be renewed during the pendency of
1678 procedures to adopt permanent rules addressing the subject of
1679 the emergency rules.

1680 Section 24. Effective upon becoming a law, section
1681 1006.121, Florida Statutes, is created to read:

1682 1006.121 Florida Safe Schools Canine Program.—

1683 (1) CREATION AND PURPOSE.—

1684 (a) The Department of Education, through the Office of
1685 Safe Schools pursuant to s. 1001.212, shall establish the
1686 Florida Safe Schools Canine Program for the purpose of
1687 designating a person, school, or business entity as a Florida
1688 Safe Schools Canine Partner if the person, school, or business
1689 entity provides a monetary or in-kind donation to a law
1690 enforcement agency to purchase, train, or care for a firearm
1691 detection canine. The office shall consult with the Florida
1692 Police Chiefs Association and the Florida Sheriffs Association
1693 in creating the program.

1694 (b) The presence of firearm detection canines at K-12
1695 schools contributes to a safe school community, furthering a
1696 communitywide investment and engagement in school safety and
1697 public safety initiatives. The program seeks to foster
1698 relationships between schools, local businesses, and law
1699 enforcement, promoting trust and confidence in the ability of
1700 law enforcement to keep schools and communities safe. Firearm

1701 detection canines act as liaisons between students and law
1702 enforcement agencies and serve as ambassadors for a law
1703 enforcement agency to improve community engagement. K-12 schools
1704 and students are encouraged to partner with law enforcement to
1705 raise funds in the local community for the monetary or in-kind
1706 donations needed to purchase, train, or care for a firearm
1707 detection canine. This includes building relationships with
1708 local businesses that support school safety by providing
1709 monetary or in-kind donations to help with the ongoing care and
1710 expenses of a firearm detection canine which include, but are
1711 not limited to, veterinary care such as wellness checks and
1712 medicine; food; interactive and training toys; grooming; and
1713 necessary equipment such as collars and leads.

1714 (2) DEFINITION.—As used in this section, the term "firearm
1715 detection canine" means any canine that is owned or the service
1716 of which is employed by a law enforcement agency for use in K-12
1717 schools for the primary purpose of aiding in the detection of
1718 firearms and ammunition.

1719 (3) CANINE REQUIREMENTS.—A firearm detection canine must
1720 be trained to interact with children and must complete behavior
1721 and temperament training. A firearm detection canine may also be
1722 trained as an animal-assisted therapy canine.

1723 (4) ELIGIBILITY.—

1724 (a) A law enforcement agency may nominate a person,
1725 school, or business entity to be designated as a Florida Safe

1726 Schools Canine Partner, or such person, school, or business
 1727 entity may apply to the office to be designated as a Florida
 1728 Safe Schools Canine Partner if a monetary or in-kind donation is
 1729 made to a law enforcement agency for the purchase, training, or
 1730 care of a firearm detection canine.

1731 (b) The nomination or application to the office for
 1732 designation as a Florida Safe Schools Canine Partner must, at
 1733 minimum, include all of the following:

1734 1. The name, address, and contact information of the
 1735 person, school, or business entity.

1736 2. The name, address, and contact information of the law
 1737 enforcement agency.

1738 3. Whether the donation was monetary or in-kind.

1739 4. The amount of the donation or type of in-kind donation.

1740 5. Documentation from the law enforcement agency

1741 certifying:

1742 a. The date of receipt of the person's, school's, or
 1743 business entity's monetary or in-kind donation; and

1744 b. The person's, school's, or business entity's monetary
 1745 or in-kind donation is for the purchasing, training, or care of
 1746 a firearm detection canine.

1747 (c) The office shall adopt procedures for the nomination
 1748 and application processes for a Florida Safe Schools Canine
 1749 Partner.

1750 (5) DESIGNATION AND AWARD.—

1751 (a) The office shall determine whether a person, school,
1752 or business entity, based on the information provided in the
1753 nomination or application, meets the requirements in subsection
1754 (4). The office may request additional information from the
1755 person, school, or business entity.

1756 (b)1. A nominated person, school, or business entity that
1757 meets the requirements shall be notified by the office regarding
1758 the nominee's eligibility to be awarded a designation as a
1759 Florida Safe Schools Canine Partner.

1760 2. The nominee shall have 30 days after receipt of the
1761 notice to certify that the information in the notice is true and
1762 accurate and accept the nomination, to provide corrected
1763 information for consideration by the office and indicate an
1764 intention to accept the nomination, or to decline the
1765 nomination. If the nominee accepts the nomination, the office
1766 shall award the designation. The office may not award the
1767 designation if the nominee declines the nomination or has not
1768 accepted the nomination within 30 days after receiving notice.

1769 (c) An applicant person, school, or business entity that
1770 meets the requirements shall be notified and awarded a
1771 designation as a Florida Safe Schools Canine Partner.

1772 (d) The office shall adopt procedures for the designation
1773 process of a Florida Safe Schools Canine Partner. Designation as
1774 a Florida Safe Schools Canine Partner does not establish or
1775 involve licensure, does not affect the substantial interests of

1776 a party, and does not constitute a final agency action. The
1777 Florida Safe Schools Canine Program and designation are not
1778 subject to chapter 120.

1779 (6) LOGO DEVELOPMENT.—

1780 (a) The office shall develop a logo that identifies a
1781 person, school, or business entity that is designated as a
1782 Florida Safe Schools Canine Partner.

1783 (b) The office shall adopt guidelines and requirements for
1784 the use of the logo, including how the logo may be used in
1785 advertising. The office may allow a person, school, or business
1786 entity to display a Florida Safe Schools Canine Partner logo
1787 upon designation. A person, school, or business entity that has
1788 not been designated as a Florida Safe Schools Canine Partner or
1789 has elected to discontinue its designated status may not display
1790 the logo.

1791 (7) WEBSITE.—The office shall establish a page on the
1792 department's website for the Florida Safe Schools Canine
1793 Program. At a minimum, the page must provide a list, updated
1794 quarterly, of persons, schools, or business entities, by county,
1795 which currently have the Florida Safe Schools Canine Partner
1796 designation and information regarding the eligibility
1797 requirements for the designation and the method of application
1798 or nomination.

1799 (8) RULES.—The State Board of Education shall adopt rules
1800 to administer this section.

1801 Section 25. Effective upon becoming a law, subsections
 1802 (1), (2), and (8) of section 1006.13, Florida Statutes, are
 1803 amended to read:

1804 1006.13 Policy of zero tolerance for crime and
 1805 victimization.—

1806 (1) District school boards shall promote a safe and
 1807 supportive learning environment in schools by protecting
 1808 students and staff from conduct that poses a threat to school
 1809 safety. A threat management ~~assessment~~ team may use alternatives
 1810 to expulsion or referral to law enforcement agencies to address
 1811 disruptive behavior through restitution, civil citation, teen
 1812 court, neighborhood restorative justice, or similar programs.
 1813 Zero-tolerance policies may not be rigorously applied to petty
 1814 acts of misconduct. Zero-tolerance policies must apply equally
 1815 to all students regardless of their economic status, race, or
 1816 disability.

1817 (2) Each district school board shall adopt a policy of
 1818 zero tolerance that:

1819 (a) Identifies acts that are required to be reported under
 1820 the school environmental safety incident reporting pursuant to
 1821 s. 1006.07(9) Defines criteria for reporting to a law
 1822 ~~enforcement agency any act that poses a threat to school safety~~
 1823 ~~that occurs whenever or wherever students are within the~~
 1824 ~~jurisdiction of the district school board.~~

1825 (b) Defines acts that pose a threat to school safety.

1826 (c) Defines petty acts of misconduct which are not a
 1827 threat to school safety and do not require consultation with law
 1828 enforcement.

1829 (d) Minimizes the victimization of students, staff, or
 1830 volunteers, including taking all steps necessary to protect the
 1831 victim of any violent crime from any further victimization.

1832 (e) Establishes a procedure that provides each student
 1833 with the opportunity for a review of the disciplinary action
 1834 imposed pursuant to s. 1006.07.

1835 (f) Requires the threat management ~~assessment~~ team to
 1836 consult with law enforcement when a student exhibits a pattern
 1837 of behavior, based upon previous acts or the severity of an act,
 1838 that would pose a threat to school safety.

1839 (8) A threat management ~~assessment~~ team may use
 1840 alternatives to expulsion or referral to law enforcement
 1841 agencies unless the use of such alternatives will pose a threat
 1842 to school safety.

1843 Section 26. Section 790.1612, Florida Statutes, is amended
 1844 to read:

1845 790.1612 Authorization for governmental manufacture,
 1846 possession, and use of destructive devices.—The governing body
 1847 of any municipality or county and the Division of State Fire
 1848 Marshal of the Department of Financial Services have the power
 1849 to authorize the manufacture, possession, and use of destructive
 1850 devices as defined in s. 790.001 ~~s. 790.001(4)~~.

1851 Section 27. Subsection (1) of section 810.095, Florida
 1852 Statutes, is amended to read:

1853 810.095 Trespass on school property with firearm or other
 1854 weapon prohibited.—

1855 (1) It is a felony of the third degree, punishable as
 1856 provided in s. 775.082, s. 775.083, or s. 775.084, for a person
 1857 who is trespassing upon school property to bring onto, or to
 1858 possess on, such school property any weapon as defined in s.
 1859 790.001 ~~s. 790.001(13)~~ or any firearm.

1860 Section 28. Paragraph (e) of subsection (3) of section
 1861 921.0022, Florida Statutes, is amended to read:

1862 921.0022 Criminal Punishment Code; offense severity
 1863 ranking chart.—

1864 (3) OFFENSE SEVERITY RANKING CHART

1865 (e) LEVEL 5

1866

Florida Statute	Felony Degree	Description
316.027(2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
316.1935(4) (a)	2nd	Aggravated fleeing or eluding.

1867

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1869

316.80(2) 2nd Unlawful conveyance of fuel;
obtaining fuel fraudulently.

1870

322.34(6) 3rd Careless operation of motor
vehicle with suspended license,
resulting in death or serious
bodily injury.

1871

327.30(5) 3rd Vessel accidents involving
personal injury; leaving scene.

1872

379.365(2)(c)1. 3rd Violation of rules relating to:
willful molestation of stone
crab traps, lines, or buoys;
illegal bartering, trading, or
sale, conspiring or aiding in
such barter, trade, or sale, or
supplying, agreeing to supply,
aiding in supplying, or giving
away stone crab trap tags or
certificates; making, altering,
forging, counterfeiting, or
reproducing stone crab trap
tags; possession of forged,

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1873			counterfeit, or imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is suspended or revoked.
	379.367 (4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
1874			
	379.407 (5) (b) 3.	3rd	Possession of 100 or more undersized spiny lobsters.
1875			
	381.0041 (11) (b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
1876			
	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
1877			
	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
1878			
	440.381 (2)	3rd	Submission of false, misleading, or incomplete

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1879			information with the purpose of avoiding or reducing workers' compensation premiums.
	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
1880			
	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
1881			
	<u>790.01(3)</u>	3rd	<u>Unlawful</u> carrying <u>of</u> a
	790.01(2)		concealed firearm.
1882			
	790.162	2nd	Threat to throw or discharge destructive device.
1883			
	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
1884			
	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.

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1885	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
1886	796.05(1)	2nd	Live on earnings of a prostitute; 1st offense.
1887	800.04(6)(c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
1888	800.04(7)(b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
1889	806.111(1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
1890	812.0145(2)(b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
1891			

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1892	812.015 (8) (a) & (c) - (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.
1893	812.015 (8) (f)	3rd	Retail theft; multiple thefts within specified period.
1894	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
1895	812.081 (3)	2nd	Trafficking in trade secrets.
1896	812.131 (2) (b)	3rd	Robbery by sudden snatching.
1897	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
1898	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
1899	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
	817.2341 (1),	3rd	Filing false financial

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	(2) (a) & (3) (a)		statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
1900	817.568 (2) (b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more persons.
1901	817.611 (2) (a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
1902	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
1903	825.1025 (4)	3rd	Lewd or lascivious exhibition

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1904	827.071 (4)	2nd	in the presence of an elderly person or disabled adult. Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
1905	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes child pornography.
1906	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
1907	836.14 (4)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.
1908			

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1909	839.13(2)(b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
1910	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
1911	847.0135(5)(b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
1912	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
1913	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
	874.05(1)(b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.

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1914	874.05(2)(a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
1915	893.13(1)(a)1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs).
1916	893.13(1)(c)2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
1917	893.13(1)(d)1.	1st	Sell, manufacture, or deliver

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1918	893.13(1)(e)2.	2nd	<p>cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of university.</p> <p>Sell, manufacture, or deliver cannabis or other drug prohibited under s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) within 1,000 feet of property used for religious services or a specified business site.</p>
1919	893.13(1)(f)1.	1st	<p>Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of public housing facility.</p>
1920	893.13(4)(b)	2nd	<p>Use or hire of minor; deliver</p>

1921 to minor other controlled
substance.

1922

1923 893.1351(1) 3rd Ownership, lease, or rental for
1924 trafficking in or manufacturing
of controlled substance.

1925

1926 Section 29. Paragraph (b) of subsection (1) of section
1927 921.0024, Florida Statutes, is amended to read:
1928 921.0024 Criminal Punishment Code; worksheet computations;
1929 scoresheets.-
1930 (1)
1931 (b) WORKSHEET KEY:
1932
1933 Legal status points are assessed when any form of legal status
1934 existed at the time the offender committed an offense before the
1935 court for sentencing. Four (4) sentence points are assessed for
1936 an offender's legal status.
1937
1938 Community sanction violation points are assessed when a
1939 community sanction violation is before the court for sentencing.
1940 Six (6) sentence points are assessed for each community sanction
violation and each successive community sanction violation,
unless any of the following apply:
1. If the community sanction violation includes a new

1941 felony conviction before the sentencing court, twelve (12)
 1942 community sanction violation points are assessed for the
 1943 violation, and for each successive community sanction violation
 1944 involving a new felony conviction.

1945 2. If the community sanction violation is committed by a
 1946 violent felony offender of special concern as defined in s.
 1947 948.06:

1948 a. Twelve (12) community sanction violation points are
 1949 assessed for the violation and for each successive violation of
 1950 felony probation or community control where:

1951 I. The violation does not include a new felony conviction;
 1952 and

1953 II. The community sanction violation is not based solely
 1954 on the probationer or offender's failure to pay costs or fines
 1955 or make restitution payments.

1956 b. Twenty-four (24) community sanction violation points
 1957 are assessed for the violation and for each successive violation
 1958 of felony probation or community control where the violation
 1959 includes a new felony conviction.

1960
 1961 Multiple counts of community sanction violations before the
 1962 sentencing court shall not be a basis for multiplying the
 1963 assessment of community sanction violation points.

1964
 1965 Prior serious felony points: If the offender has a primary

1966 offense or any additional offense ranked in level 8, level 9, or
 1967 level 10, and one or more prior serious felonies, a single
 1968 assessment of thirty (30) points shall be added. For purposes of
 1969 this section, a prior serious felony is an offense in the
 1970 offender's prior record that is ranked in level 8, level 9, or
 1971 level 10 under s. 921.0022 or s. 921.0023 and for which the
 1972 offender is serving a sentence of confinement, supervision, or
 1973 other sanction or for which the offender's date of release from
 1974 confinement, supervision, or other sanction, whichever is later,
 1975 is within 3 years before the date the primary offense or any
 1976 additional offense was committed.

1977
 1978 Prior capital felony points: If the offender has one or more
 1979 prior capital felonies in the offender's criminal record, points
 1980 shall be added to the subtotal sentence points of the offender
 1981 equal to twice the number of points the offender receives for
 1982 the primary offense and any additional offense. A prior capital
 1983 felony in the offender's criminal record is a previous capital
 1984 felony offense for which the offender has entered a plea of nolo
 1985 contendere or guilty or has been found guilty; or a felony in
 1986 another jurisdiction which is a capital felony in that
 1987 jurisdiction, or would be a capital felony if the offense were
 1988 committed in this state.

1989
 1990 Possession of a firearm, semiautomatic firearm, or machine gun:

1991 If the offender is convicted of committing or attempting to
 1992 commit any felony other than those enumerated in s. 775.087(2)
 1993 while having in his or her possession: a firearm as defined in
 1994 s. 790.001 ~~s. 790.001(6)~~, an additional eighteen (18) sentence
 1995 points are assessed; or if the offender is convicted of
 1996 committing or attempting to commit any felony other than those
 1997 enumerated in s. 775.087(3) while having in his or her
 1998 possession a semiautomatic firearm as defined in s. 775.087(3)
 1999 or a machine gun as defined in s. 790.001 ~~s. 790.001(9)~~, an
 2000 additional twenty-five (25) sentence points are assessed.

2001
 2002 Sentencing multipliers:

2003
 2004 Drug trafficking: If the primary offense is drug trafficking
 2005 under s. 893.135, the subtotal sentence points are multiplied,
 2006 at the discretion of the court, for a level 7 or level 8
 2007 offense, by 1.5. The state attorney may move the sentencing
 2008 court to reduce or suspend the sentence of a person convicted of
 2009 a level 7 or level 8 offense, if the offender provides
 2010 substantial assistance as described in s. 893.135(4).

2011
 2012 Law enforcement protection: If the primary offense is a
 2013 violation of the Law Enforcement Protection Act under s.
 2014 775.0823(2), (3), or (4), the subtotal sentence points are
 2015 multiplied by 2.5. If the primary offense is a violation of s.

2016 775.0823(5), (6), (7), (8), or (9), the subtotal sentence points
 2017 are multiplied by 2.0. If the primary offense is a violation of
 2018 s. 784.07(3) or s. 775.0875(1), or of the Law Enforcement
 2019 Protection Act under s. 775.0823(10) or (11), the subtotal
 2020 sentence points are multiplied by 1.5.

2021
 2022 Grand theft of a motor vehicle: If the primary offense is grand
 2023 theft of the third degree involving a motor vehicle and in the
 2024 offender's prior record, there are three or more grand thefts of
 2025 the third degree involving a motor vehicle, the subtotal
 2026 sentence points are multiplied by 1.5.

2027
 2028 Offense related to a criminal gang: If the offender is convicted
 2029 of the primary offense and committed that offense for the
 2030 purpose of benefiting, promoting, or furthering the interests of
 2031 a criminal gang as defined in s. 874.03, the subtotal sentence
 2032 points are multiplied by 1.5. If applying the multiplier results
 2033 in the lowest permissible sentence exceeding the statutory
 2034 maximum sentence for the primary offense under chapter 775, the
 2035 court may not apply the multiplier and must sentence the
 2036 defendant to the statutory maximum sentence.

2037
 2038 Domestic violence in the presence of a child: If the offender is
 2039 convicted of the primary offense and the primary offense is a
 2040 crime of domestic violence, as defined in s. 741.28, which was

2041 committed in the presence of a child under 16 years of age who
 2042 is a family or household member as defined in s. 741.28(3) with
 2043 the victim or perpetrator, the subtotal sentence points are
 2044 multiplied by 1.5.

2045
 2046 Adult-on-minor sex offense: If the offender was 18 years of age
 2047 or older and the victim was younger than 18 years of age at the
 2048 time the offender committed the primary offense, and if the
 2049 primary offense was an offense committed on or after October 1,
 2050 2014, and is a violation of s. 787.01(2) or s. 787.02(2), if the
 2051 violation involved a victim who was a minor and, in the course
 2052 of committing that violation, the defendant committed a sexual
 2053 battery under chapter 794 or a lewd act under s. 800.04 or s.
 2054 847.0135(5) against the minor; s. 787.01(3)(a)2. or 3.; s.
 2055 787.02(3)(a)2. or 3.; s. 794.011, excluding s. 794.011(10); s.
 2056 800.04; or s. 847.0135(5), the subtotal sentence points are
 2057 multiplied by 2.0. If applying the multiplier results in the
 2058 lowest permissible sentence exceeding the statutory maximum
 2059 sentence for the primary offense under chapter 775, the court
 2060 may not apply the multiplier and must sentence the defendant to
 2061 the statutory maximum sentence.

2062 Section 30. Paragraph (b) of subsection (3) of section
 2063 943.051, Florida Statutes, is amended to read:

2064 943.051 Criminal justice information; collection and
 2065 storage; fingerprinting.—

2066 (3)

2067 (b) A minor who is charged with or found to have committed

2068 the following offenses shall be fingerprinted and the

2069 fingerprints shall be submitted electronically to the

2070 department, unless the minor is issued a civil citation pursuant

2071 to s. 985.12:

2072 1. Assault, as defined in s. 784.011.

2073 2. Battery, as defined in s. 784.03.

2074 3. Carrying a concealed weapon, as defined in s. 790.01(2)

2075 ~~s. 790.01(1)~~.

2076 4. Unlawful use of destructive devices or bombs, as

2077 defined in s. 790.1615(1).

2078 5. Neglect of a child, as defined in s. 827.03(1)(e).

2079 6. Assault or battery on a law enforcement officer, a

2080 firefighter, or other specified officers, as defined in s.

2081 784.07(2)(a) and (b).

2082 7. Open carrying of a weapon, as defined in s. 790.053.

2083 8. Exposure of sexual organs, as defined in s. 800.03.

2084 9. Unlawful possession of a firearm, as defined in s.

2085 790.22(5).

2086 10. Petit theft, as defined in s. 812.014(3).

2087 11. Cruelty to animals, as defined in s. 828.12(1).

2088 12. Arson, as defined in s. 806.031(1).

2089 13. Unlawful possession or discharge of a weapon or

2090 firearm at a school-sponsored event or on school property, as

2091 provided in s. 790.115.

2092 Section 31. Paragraph (d) of subsection (1) of section
2093 943.0585, Florida Statutes, is amended to read:

2094 943.0585 Court-ordered expunction of criminal history
2095 records.—

2096 (1) ELIGIBILITY.—A person is eligible to petition a court
2097 to expunge a criminal history record if:

2098 (d) The person has never, as of the date the application
2099 for a certificate of expunction is filed, been adjudicated
2100 guilty in this state of a criminal offense or been adjudicated
2101 delinquent in this state for committing any felony or any of the
2102 following misdemeanors, unless the record of such adjudication
2103 of delinquency has been expunged pursuant to s. 943.0515:

- 2104 1. Assault, as defined in s. 784.011;
- 2105 2. Battery, as defined in s. 784.03;
- 2106 3. Assault on a law enforcement officer, a firefighter, or
2107 other specified officers, as defined in s. 784.07(2)(a);
- 2108 4. Carrying a concealed weapon, as defined in s. 790.01(2)
2109 ~~s. 790.01(1)~~;
- 2110 5. Open carrying of a weapon, as defined in s. 790.053;
- 2111 6. Unlawful possession or discharge of a weapon or firearm
2112 at a school-sponsored event or on school property, as defined in
2113 s. 790.115;
- 2114 7. Unlawful use of destructive devices or bombs, as
2115 defined in s. 790.1615(1);

2116 8. Unlawful possession of a firearm, as defined in s.
 2117 790.22(5);

2118 9. Exposure of sexual organs, as defined in s. 800.03;

2119 10. Arson, as defined in s. 806.031(1);

2120 11. Petit theft, as defined in s. 812.014(3);

2121 12. Neglect of a child, as defined in s. 827.03(1)(e); or

2122 13. Cruelty to animals, as defined in s. 828.12(1).

2123 Section 32. Paragraph (b) of subsection (1) of section
 2124 943.059, Florida Statutes, is amended to read:

2125 943.059 Court-ordered sealing of criminal history
 2126 records.—

2127 (1) ELIGIBILITY.—A person is eligible to petition a court
 2128 to seal a criminal history record when:

2129 (b) The person has never, before the date the application
 2130 for a certificate of eligibility is filed, been adjudicated
 2131 guilty in this state of a criminal offense, or been adjudicated
 2132 delinquent in this state for committing any felony or any of the
 2133 following misdemeanor offenses, unless the record of such
 2134 adjudication of delinquency has been expunged pursuant to s.
 2135 943.0515:

2136 1. Assault, as defined in s. 784.011;

2137 2. Battery, as defined in s. 784.03;

2138 3. Assault on a law enforcement officer, a firefighter, or
 2139 other specified officers, as defined in s. 784.07(2)(a);

2140 4. Carrying a concealed weapon, as defined in s. 790.01(2)

2141 ~~s. 790.01(1);~~
 2142 5. Open carrying of a weapon, as defined in s. 790.053;
 2143 6. Unlawful possession or discharge of a weapon or firearm
 2144 at a school-sponsored event or on school property, as defined in
 2145 s. 790.115;
 2146 7. Unlawful use of destructive devices or bombs, as
 2147 defined in s. 790.1615(1);
 2148 8. Unlawful possession of a firearm by a minor, as defined
 2149 in s. 790.22(5);
 2150 9. Exposure of sexual organs, as defined in s. 800.03;
 2151 10. Arson, as defined in s. 806.031(1);
 2152 11. Petit theft, as defined in s. 812.014(3);
 2153 12. Neglect of a child, as defined in s. 827.03(1)(e); or
 2154 13. Cruelty to animals, as defined in s. 828.12(1).
 2155 Section 33. Paragraph (b) of subsection (1) of section
 2156 985.11, Florida Statutes, is amended to read:
 2157 985.11 Fingerprinting and photographing.—
 2158 (1)
 2159 (b) Unless the child is issued a civil citation or is
 2160 participating in a similar diversion program pursuant to s.
 2161 985.12, a child who is charged with or found to have committed
 2162 one of the following offenses shall be fingerprinted, and the
 2163 fingerprints shall be submitted to the Department of Law
 2164 Enforcement as provided in s. 943.051(3)(b):
 2165 1. Assault, as defined in s. 784.011.

- 2166 2. Battery, as defined in s. 784.03.
- 2167 3. Carrying a concealed weapon, as defined in s. 790.01(2)
- 2168 ~~s. 790.01(1)~~.
- 2169 4. Unlawful use of destructive devices or bombs, as
- 2170 defined in s. 790.1615(1).
- 2171 5. Neglect of a child, as defined in s. 827.03(1)(e).
- 2172 6. Assault on a law enforcement officer, a firefighter, or
- 2173 other specified officers, as defined in s. 784.07(2)(a).
- 2174 7. Open carrying of a weapon, as defined in s. 790.053.
- 2175 8. Exposure of sexual organs, as defined in s. 800.03.
- 2176 9. Unlawful possession of a firearm, as defined in s.
- 2177 790.22(5).
- 2178 10. Petit theft, as defined in s. 812.014.
- 2179 11. Cruelty to animals, as defined in s. 828.12(1).
- 2180 12. Arson, resulting in bodily harm to a firefighter, as
- 2181 defined in s. 806.031(1).
- 2182 13. Unlawful possession or discharge of a weapon or
- 2183 firearm at a school-sponsored event or on school property as
- 2184 defined in s. 790.115.
- 2185
- 2186 A law enforcement agency may fingerprint and photograph a child
- 2187 taken into custody upon probable cause that such child has
- 2188 committed any other violation of law, as the agency deems
- 2189 appropriate. Such fingerprint records and photographs shall be
- 2190 retained by the law enforcement agency in a separate file, and

2191 these records and all copies thereof must be marked "Juvenile
 2192 Confidential." These records are not available for public
 2193 disclosure and inspection under s. 119.07(1) except as provided
 2194 in ss. 943.053 and 985.04(2), but shall be available to other
 2195 law enforcement agencies, criminal justice agencies, state
 2196 attorneys, the courts, the child, the parents or legal
 2197 custodians of the child, their attorneys, and any other person
 2198 authorized by the court to have access to such records. In
 2199 addition, such records may be submitted to the Department of Law
 2200 Enforcement for inclusion in the state criminal history records
 2201 and used by criminal justice agencies for criminal justice
 2202 purposes. These records may, in the discretion of the court, be
 2203 open to inspection by anyone upon a showing of cause. The
 2204 fingerprint and photograph records shall be produced in the
 2205 court whenever directed by the court. Any photograph taken
 2206 pursuant to this section may be shown by a law enforcement
 2207 officer to any victim or witness of a crime for the purpose of
 2208 identifying the person who committed such crime.

2209 Section 34. Paragraph (b) of subsection (16) of section
 2210 1002.33, Florida Statutes, is amended to read:

2211 1002.33 Charter schools.—

2212 (16) EXEMPTION FROM STATUTES.—

2213 (b) Additionally, a charter school shall be in compliance
 2214 with the following statutes:

2215 1. Section 286.011, relating to public meetings and

2216 records, public inspection, and criminal and civil penalties.
 2217 2. Chapter 119, relating to public records.
 2218 3. Section 1003.03, relating to the maximum class size,
 2219 except that the calculation for compliance pursuant to s.
 2220 1003.03 shall be the average at the school level.
 2221 4. Section 1012.22(1)(c), relating to compensation and
 2222 salary schedules.
 2223 5. Section 1012.33(5), relating to workforce reductions.
 2224 6. Section 1012.335, relating to contracts with
 2225 instructional personnel hired on or after July 1, 2011.
 2226 7. Section 1012.34, relating to the substantive
 2227 requirements for performance evaluations for instructional
 2228 personnel and school administrators.
 2229 8. Section 1006.12, relating to safe-school officers.
 2230 9. Section 1006.07(7), relating to threat management
 2231 ~~assessment~~ teams.
 2232 10. Section 1006.07(9), relating to School Environmental
 2233 Safety Incident Reporting.
 2234 11. Section 1006.07(10), relating to reporting of
 2235 involuntary examinations.
 2236 12. Section 1006.1493, relating to the Florida Safe
 2237 Schools Assessment Tool.
 2238 13. Section 1006.07(6)(d), relating to adopting an active
 2239 assailant response plan.
 2240 14. Section 943.082(4)(b), relating to the mobile

2241 suspicious activity reporting tool.

2242 15. Section 1012.584, relating to youth mental health
2243 awareness and assistance training.

2244 Section 35. For the 2023-2024 fiscal year, the sum of \$1.5
2245 million in recurring funds from the General Revenue Fund is
2246 appropriated to the Department of Law Enforcement to implement a
2247 grant program for local law enforcement agencies to provide
2248 firearm safety training. The department shall develop a process
2249 and guidelines for the disbursement of funds appropriated in
2250 this section. Local law enforcement grant recipients shall
2251 report documentation on the use of training funds, in a form and
2252 manner determined by the department.

2253 Section 36. For the 2023-2024 fiscal year, eight full-time
2254 equivalent positions, with associated salary rate of 582,000,
2255 are authorized and the sums of \$1,207,321 in recurring funds and
2256 \$70,525 in nonrecurring funds from the General Revenue Fund are
2257 appropriated to the Department of Education to fund new and
2258 existing positions and additional workload expenses within the
2259 Office of Safe Schools.

2260 Section 37. For the 2023-2024 fiscal year, the sum of
2261 \$400,000 in recurring funds from the General Revenue Fund is
2262 appropriated to the Department of Education to fund the Office
2263 of Safe Schools to update the existing school safety training
2264 infrastructure.

2265 Section 38. For the 2023-2024 fiscal year, the sums of \$5

2266 million in recurring funds and \$7 million in nonrecurring funds
 2267 from the General Revenue Fund are appropriated to the Department
 2268 of Education to competitively procure for the development or
 2269 acquisition of a cloud-based secure statewide information
 2270 sharing system that meets the requirements of the threat
 2271 management portal as prescribed in this act.

2272 Section 39. For the 2023-2024 fiscal year, the sums of
 2273 \$1.5 million in recurring funds and \$1.5 million in nonrecurring
 2274 funds from the General Revenue Fund are appropriated to the
 2275 Department of Education to competitively procure for the
 2276 development or acquisition of a cloud-based secure School
 2277 Environmental Safety Incident Reporting (SESIR) system.

2278 Section 40. For the 2023-2024 fiscal year, the sum of \$42
 2279 million in nonrecurring funds from the General Revenue Fund is
 2280 appropriated to the Department of Education for school hardening
 2281 grant programs to improve the physical security of school
 2282 buildings based on the security risk assessment required
 2283 pursuant to s. 1006.1493, Florida Statutes. By December 31,
 2284 2023, school districts and charter schools receiving school
 2285 hardening grant program funds shall report to the Department of
 2286 Education, in a format prescribed by the department, the total
 2287 estimated costs of their unmet school campus hardening needs as
 2288 identified by the Florida Safe Schools Assessment Tool (FSSAT)
 2289 conducted pursuant to s. 1006.1493, Florida Statutes. The report
 2290 should include a prioritized list of school hardening project

2291 needs by each school district or charter school and an expected
 2292 timeframe for implementing those projects. In accordance with
 2293 ss. 119.071(3) (a) and 281.301, Florida Statutes, data and
 2294 information related to security risk assessments administered
 2295 pursuant to s. 1006.1493, Florida Statutes, are confidential and
 2296 exempt from public records requirements. Funds may be used only
 2297 for capital expenditures. Funds shall be allocated initially
 2298 based on each district's capital outlay full-time equivalent
 2299 (FTE) and charter school FTE. No district shall be allocated
 2300 less than \$42,000. Funds shall be provided based on a district's
 2301 application, which must be submitted to the Department of
 2302 Education by February 1, 2024.

2303 Section 41. Except as otherwise expressly provided in this
 2304 act and except for this section, which shall take effect upon
 2305 this act becoming a law, this act shall take effect July 1,
 2306 2023.